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FROUDE'S HISTORY OF ENGLAND

CHAPTER I



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Froude's History of England Chapter I

(Social Condition of England in the
Sixteenth Century)

Edited by
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INTRODUCTION

JAMES ANTHONY FROUDE was born in Devonshire in the year 1818. His father, a typical English parson of his time, was a stout Tory of the old school. One of his brothers, Hurrell, became a prominent leader in the Tractarian movement, then a notable thing in the religious life of the country, and rapidly developing under the commanding influence of a great spiritual genius, John Henry Newman. When the future historian went up to Oxford it was natural enough that he should fall under Newman's spell ; but this state of things was not destined to last long. Though he took deacon's orders in the Church of England, he soon abandoned them ; and shortly after he published a book—famous once, but now almost forgotten—*The Nemesis of Faith*,¹ which had the unique distinction of being piously burnt at the University in the year following its publication. It was the first book signed with his own name. Henceforth Froude felt himself intellectually a free man, and he never looked back : he had definitely broken with his ecclesiastical past.

During the next few years he contributed largely to periodical literature ; and much of the best work of this time was, later on, embodied in the first volume of his *Short Studies in Great Subjects*. In no other work of Froude's are his good sense, high ability, and power of deft presentation more admirably exemplified. Indeed as a writer of English prose, then and always, he seems

¹ 1849. Reprinted, with a Preface by Moncure D. Conway, in 1903.

almost unrivalled. Who could fail to be charmed by the 'subtle and harmonious beauty of his periods,' by the vigour and sanity of his outlook? 'If,' says Sir Edmund Gosse, 'it is impossible to admit that Froude had the infatuation for veracity which may co-exist with an inveterate tendency to blunder about details, there are yet very sterling merits in his work, which the attacks of his enemies entirely fail to obscure.' Froude had prejudices; he was a strong partisan; but he possessed 'that faculty of imagination and reproductive insight' which are among the rarest of literary qualities. *Nihil quod teligit non ornavit.*

It was in the year 1856 that the first two volumes of his *History of England from the fall of Wolsey to the defeat of the Spanish Armada* made their appearance; and this work (completed in twelve volumes) occupied him, on and off, till 1870. As a matter of fact, one might almost say 'till 1893'; for in that year he printed a pendant to the *History*, in the shape of a volume on *The Divorce of Catharine of Aragon*. Few books have been more vigorously criticized. True, he held strong views and he made mistakes; but—to quote Professor Pollard's words (in the article on Froude in the *Dictionary of National Biography*)—'there are not half-a-dozen histories in the English language which have been based on so extensive a survey of the original materials.'

What, we may ask ourselves, did Froude understand to be the true 'science' of history? We will quote his own words: they are taken from a lecture¹ delivered at the Royal Institution in 1864:

'What, then, is the use of History? and what are its lessons? If it can tell us little of the past and nothing of the future, why waste our time over so barren a study?

It is a voice for ever sounding across the centuries

¹ Now printed in the first volume of *Short Studies*. The concluding (fourth) volume was published in 1882.

the laws of right and wrong. Opinions alter, manners change, creeds rise and fall; but the moral law is written on the tablets of Eternity. For every false word or unrighteous deed, for cruelty and oppression, for lust or vanity, the price has to be paid at last: not always by the chief offenders, but paid by some one. Justice and truth alone endure and live. Injustice and falsehood may be long-lived, but doomsday comes at last to them—in French revolutions and other terrible ways.'

Again, in his Inaugural Lecture at St. Andrews, 1869, Froude used these memorable words :

' The eternal truths and rights of things exist, fortunately, independent of our thoughts and wishes, fixed as mathematics, inherent in the nature of man and of the world. They are no more to be trifled with than gravitation.'

Lord Acton, in his famous Inaugural Lecture at Cambridge, 1895, uttered no mere commonplace when he affirmed that constancy of progress in the direction of assured freedom is the characteristic fact of modern history, and its tribute to the theory of Providence. Froude would have heartily concurred. And was it not Leibniz who said : ' History is the true demonstration of Religion' ?

Soon after the completion of his *History*, Froude set to work on another piece of historical writing, *The English in Ireland*, which was published between 1871 and 1874. Like most of his works, this book encountered considerable hostility, not least because of the political principles that underlay it. Five years later, he produced his *Caesar, a Sketch*, which, though of no great matter as a contribution to history, is admirable as a piece of literature.

If Froude had, for years past, been obliged to face much severe criticism at the hands of professed historians, he was to brave the greatest outcry of all during the early 'eighties.' Carlyle, his life-long friend, had

appointed him his literary executor, and, in accordance with what he believed to be his duty as an editor, he issued an elaborate biography. This painful controversy has long since died down, but the biography lives on. For good or ill, it remains one of the most interesting things of its kind ever written.

Passing over, with a mere mention, Froude's two charming books of travel—*Oceana* and *The West Indies*—as well as his brief monographs on Bunyan and Lord Beaconsfield, we come to the crowning event of his somewhat stormy career, namely, his appointment, in 1892, as Regius Professor of History at Oxford, in succession to the sternest of his opponents, Freeman. Many people shook their heads on that occasion; yet the wisdom of Lord Salisbury's choice was justified. We are told that his lectures created a sensation in the University the like of which had not been known since Ruskin's day. The fruits of the lectures were (1) *The Life and Letters of Erasmus*; (2) *The Council of Trent*; (3) *English Seamen in the Sixteenth Century*. Published after his death, these have already taken their place among the classics of English historical literature.

Froude did not long survive his appointment. He died at Salcombe, Devon, the county he loved so well, in the autumn of 1894. A master of style, a sturdy individualist, an unflinching upholder of what he believed to be right and just,—he was all this: in a word, a great Englishman. May we not take our leave of him in the noble words in which Tacitus took leave of Agricola?—‘Si quis piorum manibus locus; si, ut sapientibus placet, non cum corpore extinguuntur magnae animae: placide quiescas! ’¹

} The sixteenth century, like the Periclean age at Athens, was one of the flowering epochs of the human spirit.

¹ ‘If there is any abode for the spirits of the good; if, as the wise hold, great souls are not extinguished with the body, rest in peace! ’

The Medieval period may be said to have reached its end on the field of Bosworth. For a few short years, indeed, there was a breathing space—a sort of pause in human affairs—before the tempest broke, and the world's course began afresh, with new thoughts coursing through men's awakened minds, with new problems demanding solution, with fresh hopes and strange fears shaking the fabric of human existence. The invention of printing, the discovery of America, the theories of Copernicus,—these things came to shatter the traditions of a millennium on their secular side; while, on the spiritual side, the splendid challenge of Luther—with its mighty corollary, the publication of the Bible in the vernacular—divided Europe into two opposing camps. Hitherto mankind had moved, more or less uneasily perhaps, within the ambit of ideas and doctrines upheld by an infallible Church: it was to be so no more. In art, in literature, in doctrine, in life, the spirit of man was free to disentangle itself from the transmels of orthodoxy and to embark on a new and untried career. We are still living in the backwash of that vast and comprehensive movement which we call the Renaissance, or the Reformation, according as we lay the stress on its secular or on its religious activities. The soul of ancient Greece had indeed risen from its age-long sleep—with a copy of the New Testament in one hand, and the *De Revolutionibus Orbium Coelestium* in the other. Even so!

' The old order changeth, yielding place to new,
 And God fulfils Himself in many ways
 Lest one good custom should corrupt the world.'

It was to 'corrupt' no longer.

Politically, in England, the power of the great Barons was 'over'; on its ruins arose the despotism of the Tudors, itself in due course to make way for the undisputed sway of Parliament. The Feudal system had received its death-blow; modern commercial methods began to take its place, at first gradually, then with a

quickened momentum. Literature, which had long seemed inoperant, was about to receive a fresh impetus of life, rising to heights undreamed of before, ere the last of the Tudors vanished from the scene.

Great as the sixteenth century is, in a hundred different ways, in no way (so far as England is concerned) does it appear more full of power than when stirred by that vital instinct to behold, in the sea, the chosen organ of its national life. The Tudors fostered their fleets, and were quick to find great men to share an ambition and an enthusiasm that were soon to become wide-spread as the nation itself. The great century was destined to witness 'the rise of English naval power from comparative insignificance to actual pre-eminence.' And in that pre-eminence lay hidden the whole secret of England's might, first as a single country, secondly as the throbbing centre of a world-wide empire. We owe much to Henry VIII's insight and vigour. With all his faults he stands out as 'a "very kingly tyrant.' He never forgot the greatness of the country he ruled. For this we may surely forgive him much.

Heavy have been the indictments brought against the King; but the heaviest of all is for the methods employed to cure abuses in the religious life of the nation. Not content with drastically purging the monasteries, he went much further than their undoubted corruptions required: he ruined the whole system. That the monastic orders had long since forgotten the objects for which they had been founded, that they had sunk into apathy and self-indulgence,—this is admitted by friend and foe alike. One has but to read Erasmus, that unrivalled humanist, to know that the charges made were not unfounded. Those great institutions, once so beneficial, had outlived their first usefulness. The royal Visitations clearly reveal a sorry state of affairs. Ignorance and indolence were rampant; yet the wealth of these corporations was immense. The monasteries had vast possessions. What use were they making of

their privileged position ? Very little. A radical change was imperative. But Henry deliberately over-looked that wise apophthegm, *abusus non tollit usum*. Instead of cutting out the dead wood he determined to hew away the entire tree. It was, in some ways, a disastrous policy. The monastic system might have been reformed, root and branch ; the framework retained, with the vicious elements cast out. Henry's violence and greed made all such reformation impossible ; and, for the wrong then done, we have had to suffer. Yet, in the main, the people offered little or no determined opposition. Nevertheless, there are certain compensations in all human affairs ; some advantages followed in the wake of the Great Pillage. The hitherto unquestioned authority of the Roman Pontiff was, as far as this country is concerned, finally repudiated ; while the open admission of the Scriptures in the mother-tongue made it 'no longer possible for the individual to disclaim responsibility on the score that the priesthood alone held the key to the mysteries of religion. *That was the keystone of the Reformation, since it entailed upon every man the duty of private judgement even though the right continued to be denied*' (Innes, p. 185). Wordsworth in one of his sonnets has thus defined 'The Point at Issue' :

' For what contend the wise ?—for nothing less
 Than that the Soul, freed from the bonds of Sense,
 And to her God restored by evidence
 Of things not seen, drawn forth from their recess,
 Root there, and not in forms, her holiness.'

** The text of this volume is taken from the second edition of Froude's *History* (1858). The footnotes to that edition have been omitted, except where, in a few cases, they have been incorporated in the notes that, in the present reprint, follow the text. The old side-notes

have been revised and rearranged, appearing now as the 'Synopsis.'

The notes by the present editor are of the briefest, but they may occasionally be useful if only for the references given in them. A brief index has been added.

E. H. B.

WINCHESTER, 1927.

SYNOPSIS

§ 1. The stationary character of mediæval civilization.

§ 2. Population of England in the sixteenth century : perhaps numbered under 5,000,000, but the calculation necessarily uncertain. Tendency of population to remain stationary owing to habits of the people.

§ 3. State of manufactures. Statute for the encouragement of the linen trade, to keep people employed and to avoid idleness.

§ 4. Decay of the towns : not caused, however, by decay of trade. Security of the country districts under the Tudors.

§ 5. London merchants buy land, but conform to the habits of the nobles and country gentlemen.

§ 6. Laws of feudal tenure operating as restrictions upon selfishness. Militant organization of society and mutual interdependence of orders.

§ 7. Organization of labour. Respective advantages of small and large estates. Difficulty of deciding between the two systems, and the Feudal solution of the difficulty. Sumptuary laws and their possible value.

§ 8. Unfavourable aspects of the Feudal system. Danger of the abuse of power ; yet fidelity a better bond of cohesion than interest.

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§ 12. The rights of property.

§ 13. Historical justification of legislative action. Introduction of the commercial spirit into the management of land.

§ 14. Labour, left to itself, unable to hold its own against capitalism. Evidence of the general content of the people.

§ 15. Incomes and duties of the upper classes. Expenses of the royal household.

- § 16. The country gentlemen and the clergy.
- § 17. 'Merry England.' The land open. Habits of the people.
- § 18. Progress of education among the laity. Invention of printing and spread of cultivation.
- § 19. The London trading companies, and the meaning of their institutions. Efforts to compel honest dealing.
- § 20. The right to labour. The apprentice system and its significance.
- § 21. Illustrative statutes: (1) wine, (2) weaving. Human beings not to be treated as mere 'hands.'
- § 22. Weakness of the system of State interference. Decline of trading virtue as the century advanced.
- § 23. The passing of the old order.
- § 24. Military training of the people. The 'Statute of Winchester.'
- § 25. Archery, that had fallen into abeyance, now enjoined on all males from seven years old and upwards.
- § 26. Amusements of the people. Growing taste for the drama.
- § 27. All great nations dramatic, because life is simple to them.
- § 28. Masque at Greenwich in 1527.
- § 29. The boys of St. Paul's School.
- § 30. Growth of pauperism. Dissolution of the monasteries not the real cause. Neglect of duty by the 'religious' houses.
- § 31. Vagrancy Acts under Henry VIII. Punishment of persons begging without a licence.
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- § 33. Private charity restricted. Compulsory training of the children of the poor.
- § 34. Concluding summary.

SOCIAL CONDITION OF ENGLAND IN THE SIXTEENTH CENTURY

§ 1. In periods like the present, when knowledge is every day extending, and the habits and thoughts of mankind are perpetually changing under the influence of new discoveries, it is no easy matter to throw ourselves back into a time in which for centuries the European world grew upon a single type, in which the forms of the father's thoughts were the forms of the son's, and the late descendant was occupied in treading into paths the footprints of his distant ancestors. So absolutely has change become the law of our present condition, that it is identified with energy and moral health ; to cease to change is to lose place in the great race ; and to pass away from off the earth with the same convictions which we found when we entered it, is to have missed the best object for which we now seem to exist.

It has been, however, with the race of men as it has been with the planet which they inhabit. As we look back over history, we see times of change and progress alternating with other times when life and thought

have settled into permanent forms ; when mankind, as if by common consent, have ceased to seek for increase of knowledge, and, contented with what they possess, have endeavoured to make use of it for purposes of moral cultivation. Such was the condition of the Greeks through many ages before the Persian war ; such was that of the Romans till the world revenged itself upon its conquerors by the introduction among them of the habits of the conquered ; and such again became the condition of Europe when the Northern nations grafted the religion and the laws of the Western empire on their own hardy natures, and shaped out that wonderful spiritual and political organization which remained unshaken for a thousand years.

The aspirant after sanctity in the fifteenth century of the Christian era found a model which he could imitate in detail in the saint of the fifth. The gentleman at the court of Edward IV or Charles of Burgundy could imagine no nobler type of heroism than he found in the stories of King Arthur's knights. The forms of life had become more elaborate—the surface of it more polished—but the life itself remained essentially the same ; it was the development of the same conception of human excellence ; just as the last orders of Gothic architecture were the development of the first, from which the idea had worked its way till the force of it was exhausted.

A condition of things differing alike both outwardly and inwardly from that into which a happier fortune has introduced ourselves, is necessarily obscure to us. In the alteration of our own character, we have lost the key which would interpret the characters of our fathers, and the great men even of our own English history before the Reformation seem to us almost like the fossil skeletons of another order of beings. Some broad conclusions as to what they were are at least possible to us, however ; and we are able to determine, with tolerable certainty, the social condition of the people of this country, such as it was before the movements of the sixteenth century, and during the process of those movements.

§ 2. The extent of the population can only be rudely conjectured. A rough census was taken at the time of the Armada, when it was found to be something under five millions ; but anterior to this I can find no authority on which I can rely with any sort of confidence. It is my impression, however, from a number of reasons—each in itself insignificant, but which taken together leave little doubt upon my mind—that it had attained that number by a growth so slow as to be scarcely perceptible, and had nearly approached to it many generations before. Simon Fish, in *The Supplication of Beggars*, says that the number of households in England in 1531 was 520,000. His calculation is of the most random kind ; for he

rates the number of parishes at 52,000, with ten households on an average in each parish. A mistake so preposterous respecting the number of parishes shows the great ignorance of educated men upon the subject. The ten households in each parish may, probably (in some parts of the country), have been a correct computation ; but this tells us little with respect to the aggregate numbers, for the households were very large—the farmers, and the gentlemen also, usually having all the persons whom they employed residing under their own roof. Neither from this, therefore, nor from any other positive statement which I have seen, can I gather any conclusion that may be depended upon. But when we remember the exceeding slowness with which the population multiplied in a time in which we can accurately measure it—that is to say, from 1588 to the opening of the last century—under circumstances in every way more favourable to an increase, I think we may assume that the increase was not so great between 1500 and 1588, and that, previous to 1500, it did not more than keep pace with the waste from civil and foreign war. The causes, indeed, were wholly wanting which lead to a rapid growth of numbers. Numbers now increase with the increase of employment and with the facilities which are provided by the modern system of labour for the establishment of independent households. At present, ~~any~~ able-bodied unskilled labourer

earns, as soon as he has arrived at man's estate, as large an amount of wages as he will earn at any subsequent time ; and having no connexion with his employer beyond the receiving the due amount of weekly money from him, and thinking himself as well able to marry as he is likely to be, he takes a wife, and is usually the father of a family before he is thirty. Before the Reformation, not only were early marriages determinately discouraged, but the opportunity for them did not exist. A labourer living in a cottage by himself was a rare exception to the rule ; and the work of the field was performed generally, as it now is in the large farms in America and Australia, by servants who lived in the families of the squire or the farmer, and who, while in that position, commonly remained single, and married only when by prudence they had saved a sufficient sum to enable them to enter some other position.

Checked by circumstances of this kind, population would necessarily remain almost stationary, and a tendency to an increase was not of itself regarded by the statesmen of the day as any matter for congratulation or as any evidence of national prosperity. Not an increase of population, which would facilitate production and beat down wages by competition, but the increase of the commonwealth, the sound and healthy maintenance of the population already existing, were the chief objects which the government proposed to

itself ; and although Henry VIII nursed his manufactures with the utmost care, in order to keep the people well employed, there is sufficient proof in the grounds alleged for the measures to which he resorted, that there was little redundancy of occupation.

§ 3. In the statute, for instance, for the encouragement of the linen manufactures, it is said that—‘ The King’s Highness, calling to his most blessed remembrance the great number of idle people daily increasing throughout this his Realm, supposeth that one great cause thereof is by the continued bringing into the same the great number of wares and merchandize made and brought out and from the parts beyond the sea into this his Realm, ready wrought by manual occupation ; amongst the which wares one kind of merchandize in great quantity, which is linen cloth of divers sorts made in divers countries beyond the sea, is daily conveyed into this Realm ; which great quantity of linen cloth so brought is consumed and spent within the same ; by reason whereof not only the said strange countries where the said linen cloth is made, by the policy and industry of making and vending the same are greatly enriched ; and a marvellous great number of their people, men, women, and children, are set on work and occupation, and kept from idleness, to the great furtherance and advancement of their commonwealth ; but also contrarywise the inhabitants and subjects of

this Realm, for lack of like policy and industry, are compelled to buy all or most part of the linen cloth consumed in the same, amounting to inestimable sums of money. And also the people of this Realm, as well men as women, which should and might be set on work, by exercise of like policy and craft of spinning, weaving, and making of cloth, lies now in idleness and otiosity, to the high displeasure of Almighty God, great diminution of the King's people, and extreme ruin, decay, and impoverishment of this Realm. Therefore, for reformation of these things, the King's most Royal Majesty intending, like a most virtuous Prince, to provide remedy in the premises ; nothing so much coveting as the increase of the Commonwealth of this his Realm, with also the virtuous exercise of his most loving subjects and people, and to avoid that most abominable sin of idleness out of the Realm, hath, by the advice and consent of his Lords and Commons in Parliament assembled, ordained and enacted that every person occupying land for tillage, shall for every sixty acres which he hath under the plough, sow one quarter of an acre in flax or hemp.'

This Act was designed immediately to keep the wives and children of the poor in work in their own houses ; but it leaves no doubt that manufactures in England had not of themselves that tendency to self-development which would encourage an enlarging

population. The woollen manufactures similarly appear, from the many statutes upon them, to have been vigorous at a fixed level, but to have shown no tendency to rise beyond that level. With a fixed market and a fixed demand, production continued uniform.

§ 4. A few years subsequent, indeed, to the passing of the Act which I have quoted, a very curious complaint is entered in the statute book, from the surface of which we should gather that, so far from increasing, manufactures had alarmingly declined. The fact mentioned *may* bear another meaning, and a meaning far more favourable to the state of the country; although, if such a phenomenon were to occur at the present time, it could admit of but one interpretation. In the 18th and 19th of the 32nd of Henry VIII, all the important towns in England, from the Tweed to the Land's End, are stated, one by one, to have fallen into serious decay. Usually when we meet with language of this kind, we suppose it to mean nothing more than an awakening to the consciousness of evils which had long existed, and which had escaped notice only because no one was alive to them. In the present instance, however, the language was too strong and too detailed to allow of this explanation; and the great body of the English towns undoubtedly were declining in wealth and in the number of their inhabitants. The statutes speak of 'divers and many

beautiful houses of habitation, built in tyme past within their walls and liberties, which now are fallen down and decayed, and at this day remain unre-edified, and do lie as desolate and vacant grounds, many of them nigh adjoining to the High-streets, replenished with much uncleanness and filth, with pits, cellars, and vaults lying open and uncovered, to the great perill and danger of the inhabitants and other the King's subjects passing by the same. And some houses be very weak and feeble, ready to fall down, and therefore dangerous to pass by, to the great decay and hindrance of the said boroughs and towns.'

At present, the decay of a town implies the decay of the trade of the town ; and the decay of all towns simultaneously would imply a general collapse of the trade of the whole country. Walled towns, however, before the Reformation, existed for other purposes than as the centre points of industry : they existed for the protection of property and life : and although it is not unlikely that the agitation of the Reformation itself did to some degree interrupt the occupation of the people, yet I believe that the true account of the phenomenon which then so much disturbed the parliament, is, that one of their purposes was no longer required ; the towns flagged for a time, because the country had become secure. The woollen manufacture in Worcestershire was spreading into the open country, and, doubtless, in other counties as

well ; and the ‘beautiful houses’ which had fallen into decay, were those which, in the old times of insecurity, had been occupied by wealthy merchants and tradesmen, who were now enabled, by a strong and settled government, to dispense with the shelter of locked gates and fortified walls, and remove their residences to more convenient situations. It was, in fact, the first symptom of the impending social revolution. Two years before the passing of this Act, the magnificent Hengrave Hall, in Suffolk, had been completed by Sir Thomas Kitson, ‘mercer of London,’ and Sir Thomas Kitson was but one of many of the rising merchants who were now able to root themselves on the land by the side of the Norman nobility, first to rival, and then slowly to displace them.

§ 5. This mighty change, however, was long in silent progress before it began to tell on the institutions of the country. When city burghers bought estates, the law insisted jealously on their accepting with them all the feudal obligations. Attempts to use the land as ‘a commodity’ were, as we shall presently see, angrily repressed ; while, again, in the majority of instances, such persons endeavoured, as they do at present, to cover the recent origin of their families by adopting the manners of the nobles, rather than to transfer the habits of the towns among the parks and chases of the English counties. The old

English organization maintained its full activity ; and the duties of property continued to be for another century more considered than its rights.

§ 6. Turning, then, to the tenure of land—for if we would understand the condition of the people, it is to this point that our first attention must be directed—we find that through the many complicated varieties of it there was one broad principle which bore equally upon every class, that the land of England must provide for the defence of England. The feudal system was still the organizing principle of the nation, and whoever owned land was bound to military service for his country whenever occasion required. Further, the land was to be so administered, that the accustomed number of families supported by it should not be diminished, and that the State should suffer no injury from the carelessness or selfishness of the owners. Land never was private property in that personal sense of property in which we speak of a thing as our own, with which we may do as we please ; in the administration of estates, as indeed in the administration of all property whatsoever, duty to the State was at all times supposed to override private interest or inclination. Even tradesmen, who took advantage of the fluctuations of the market, were rebuked by parliament for ‘their greedy and covetous minds,’ ‘as more regarding their own singular lucre and profit than the commonweal of the Realm’ ; and

although, in an altered world, neither industry nor enterprise will thrive except under the stimulus of self-interest, we may admire the confidence which in another age expected every man to prefer the advantage of the community to his own. All land was held upon a strictly military principle. It was the representative of authority, and the holder or the owner took rank in the army of the State according to the nature of his connexion with it. It was first broadly divided among the great nobility holding immediately under the crown, who, above and beyond the ownership of their private estates, were the Lords of the Fee throughout their presidency, and possessed in right of it the services of knights and gentlemen who held their manors under them, and who followed their standard in war. Under the lords of manors, again, small freeholds and copyholds were held of various extent, often forty shilling and twenty shilling value, occupied by peasant occupiers, who thus, on their own land, lived as free Englishmen, maintaining by their own free labour themselves and their families. There was thus a descending scale of owners, each of whom possessed his separate right, which the law guarded and none might violate ; yet no one of whom, again, was independent of an authority higher than himself ; and the entire body of the English free possessors of the soil was interpenetrated by a coherent organization which converted them into a perpetually

subsisting army of soldiers. The extent of land which was held by the petty freeholders was very large, and the possession of it was jealously treasured ; the private estates of the nobles and gentlemen were either cultivated by their own servants, or let out, as at present, to free tenants ; or (in earlier times) were occupied by villains, a class who, without being bondmen, were expected to furnish further services than those of the field, services which were limited by the law, and recognised by an outward ceremony,—a solemn oath and promise from the villain to his lord. Villainage, in the reign of Henry VIII, had for some time ceased. The name of it last appears upon the statute book in the early years of the reign of Richard II, when the disputes between villains and their liege lords on their relative rights had furnished matter for cumbrous lawsuits, and by general consent the relation had merged of itself into a more liberal form. Thus serfdom had merged or was rapidly merging into free servitude ; but it did not so merge that labouring men, if they pleased, were allowed to live in idleness. Every man was regimented somewhere ; and although the peasantry, when at full age, were allowed, under restrictions, their own choice of masters, yet the restrictions both on masters and servants were so severe as to prevent either from taking advantage of the necessities of the other, or from terminating through caprice or levity, or for any

insufficient reason, a connexion presumed to be permanent.

§ 7. Through all these arrangements a single aim is visible, that every man in England should have his definite place and definite duty assigned to him, and that no human being should be at liberty to lead at his own pleasure an unaccountable existence. The discipline of an army was transferred to the details of social life, and it issued in a chivalrous perception of the meaning of the word duty, and in the old characteristic spirit of English loyalty.

From the regulations with respect to land a coarser advantage was also derived, of a kind which at the present time will be effectively appreciated. It is common matter of dispute whether landed estates should be large or small; whether it is better that the land should be divided among small proprietors, cultivating their own ground, or that it should follow its present tendency, and be shared by a limited and constantly diminishing number of wealthy landlords. The advocates for a peasant proprietary tell us truly, that a landed monopoly is dangerous; that the possession of a spot of ground, though it be but a few acres, is the best security for loyalty, giving the state a pledge for its owner, and creating in the body of the nation a free, vigorous, and manly spirit. The advocates for the large estates tell us that the masses are too ill-educated to be trusted with independence;

that, without authority over them, these small proprietors become wasteful, careless, improvident ; that the free spirit becomes a democratic and dangerous spirit ; and finally, that the resources of the land cannot properly be brought out by men without capital to cultivate it. Either theory is plausible. The advocates of both can support their arguments with an appeal to experience ; and the verdict of fact has not as yet been pronounced emphatically.

The problem will be resolved in the future history of this country. It was also nobly and skilfully resolved in the past. The knights and nobles retained the authority and power which was attached to the lordships of the fees. They retained extensive estates in their own hands or in the occupation of their immediate tenants ; but the large proportion of the lands was granted out by them to smaller owners, and the expenditure of their own incomes in the wages and maintenance of their vast retinues left but a small margin for indulgence in luxuries. The necessities of their position obliged them to regard their property rather as a revenue to be administered in trust, than as 'a fortune' to be expended in indulgence. Before the Reformation, while the differences of social degree were enormous, the differences in habits of life were comparatively slight, and the practice of men in these things was curiously the reverse of our own. Dress, which now scarcely suffices to distinguish the master

from his servant, was then the symbol of rank, prescribed by statute to the various orders of society as strictly as the regimental uniform to officers and privates ; diet also was prescribed, and with equal strictness ; but the diet of the nobleman was ordered down to a level which was then within the reach of the poorest labourer. In 1336, the following law was enacted by the Parliament of Edward III : ' Wheras, heretofore through the excessive and over-many sorts of costly meats which the people of this Realm have used more than elsewhere, many mischiefs have happened to the people of this Realm ; for the great men by these excesses have been sore grieved, and the lesser people, who only endeavour to imitate the great ones in such sort of meats, are much impoverished, whereby they are not able to aid themselves, nor their liege lord, in time of need, as they ought ; and many other evils have happened, as well to their souls as their bodies ; our Lord the King, desiring the common profit as well of the great men as of the common people of his Realm, and considering the evils, grievances, and mischiefs aforesaid, by the common assent of the prelates, earls, barons, and other nobles of his said Realm, and of the commons of the said Realm, hath ordained and established that no man, of what estate or condition soever he be, shall cause himself to be served, in his house or elsewhere, at dinner, meal, or supper, or at any other time, with more than

two courses, and each mess of two sorts of victuals at the utmost, be it of flesh or fish, with the common sorts of pottage, without sauce or any other sort of victuals. And if any man choose to have sauce for his mess, he may, provided it be not made at great cost; and if fish or flesh be to be mixed therein, it shall be of two sorts only at the utmost, either fish or flesh, and shall stand instead of a mess, except only on the principal feasts of the year, on which days every man may be served with three courses at the utmost, after the manner aforesaid.'

Sumptuary laws are among the exploded fallacies which we have outgrown, and we smile at the un-wisdom which could expect to regulate private habits and manners by statute. Yet some statutes may be of moral authority when they cannot be actually enforced, and may have been regarded, even at the time at which they were issued, rather as an authoritative declaration of what wise and good men considered to be right, than as laws to which obedience could be compelled. This Act, at any rate, witnesses to what was then thought to be right by 'the great persons' of the English realm; and when great persons will submit themselves of their free will to regulations which restrict their private indulgence, they are in little danger of disloyalty from those whom fortune has placed below them.

§ 8. Such is one aspect of these old arrangements ; it is unnecessary to say that with these, as with all other institutions created and worked by human beings, the picture admits of being reversed. When by the accident of birth men are placed in a position of authority, no care in their training will prevent it from falling often to singularly unfit persons. The command of a permanent military force was a temptation to ambition, to avarice or hatred, to the indulgence of private piques and jealousies, to political discontent on private and personal grounds. A combination of three or four of the leading nobles was sufficient, when an incapable prince sate on the throne, to effect a revolution ; and the rival claims of the houses of York and Lancaster to the crown, took the form of a war unequalled in history for its fierce and determined malignancy, the whole nation tearing itself in pieces in a quarrel in which no principle was at stake, and no national object was to be gained. A more terrible misfortune never befell either this or any other country, and it was made possible only in the virtue of that loyalty with which the people followed the standard, through good and evil, of their feudal superiors. It is still a question, however, whether the good or the evil of the system predominated ; and the answer to such question is the more difficult because we have no criterion by which, in these matters, degrees of good and evil

admit of being measured. Arising out of the character of the nation, it reflected this character in all its peculiarities ; and there is something truly noble in the coherence of society upon principles of fidelity. Fidelity of man to man is among the rarest excellences of humanity, and we can tolerate large evils which arise out of such a cause. Under the feudal system men were held together by oaths, free acknowledgments, and reciprocal obligations, entered into by all ranks, high and low, binding servants to their masters, as well as nobles to their kings ; and in the beautiful roll of the old language in which the oaths were sworn we cannot choose but see that we have lost something in exchanging these ties for the harsher, connecting links of mutual self-interest.

‘ When a freeman shall do fealty to his lord,’ the statute says, ‘ he shall hold his right hand upon the book, and shall say thus :—Hear you, my lord, that I shall be to you both faithful and true, and shall owe my faith to you for the land that I hold, and lawfully shall do such customs and services as my duty is to you, at the times assigned : so help me God and all his saints.’

‘ The villain,’ also, ‘ when he shall do fealty to his lord, shall hold his right hand over the book, and shall say :—Hear you, my lord, that I from this day forth unto you shall be true and faithful, and shall owe you fealty for the land which I hold of you in villainage ;

and that no evil or damage will I see concerning you, but I will defend and warn you to my power. So help me God and all his saints.'

§ 9. Again, in the distribution of the produce of land, men dealt fairly and justly with each other: and in the material condition of the bulk of the people there is a fair evidence that the system worked efficiently and well. It worked well for the support of a sturdy high-hearted race, sound in body and fierce in spirit, and furnished with thews and sinews which, under the stimulus of those 'great shins of beef,' their common diet, were the wonder of the age. 'What comyn folke in all this world,' says a state paper in 1515, 'may compare with the comyns of England in riches, freedom, liberty, welfare, and all prosperity? What comyn folke is so mighty, so strong in the felde, as the comyns of England?' The relative numbers of the French and English armies which fought at Cressy and Agincourt may have been exaggerated, but no allowance for exaggeration will affect the greatness of those exploits; and in stories of authentic actions under Henry VIII, where the accuracy of the account is undeniable, no disparity of force made Englishmen shrink from enemies wherever they could meet them. Again and again a few thousands of them carried dismay into the heart of France. Four hundred adventurers, vagabond apprentices from London, who formed a volunteer corps

in the Calais garrison, were for years the terror of Normandy. In the very frolic of conscious power they fought and plundered, without pay, without reward, except what they could win for themselves ; and when they fell at last, they fell only when surrounded by six times their number, and were cut to pieces in careless desperation. Invariably, by friend and enemy alike, the English are described as the fiercest people in all Europe (the English wild beasts, Benvenuto Cellini calls them) : and this great physical power they owed to the profuse abundance in which they lived, and to the soldier's training in which every man of them was bred from childhood.

The state of the working classes can, however, be more certainly determined by a comparison of their wages with the prices of food. Both were regulated, so far as regulation was possible, by act of parliament, and we have therefore data of the clearest kind by which to judge. The majority of agricultural labourers lived, as I have said, in the houses of their employers ; this, however, was not the case with all, and if we can satisfy ourselves as to the rate at which those among the poor were able to live who had cottages of their own, we may be assured that the rest did not live worse at their masters' tables.

§ 10. Wheat, the price of which necessarily varied, averaged in the middle of the fourteenth century ten-pence the bushel ; barley averaging at the same time

three shillings the quarter. With wheat the fluctuation was excessive ; a table of its possible variations describes it as ranging from eighteenpence the quarter to twenty shillings ; the average, however, being six and eightpence. When the price was above this sum, the merchants might import to bring it down ; when it was below this price the farmers were allowed to export to the foreign markets. The same scale, with a scarcely appreciable tendency to rise, continued to hold until the disturbance in the value of the currency. In the twelve years from 1551 to 1562, although once before harvest wheat rose to the extraordinary price of forty-five shillings a quarter, it fell immediately after to five shillings and four. Six and eightpence continued to be considered in parliament as the average ; and on the whole it seems to have been maintained for that time with little variation.

Beef and pork were a halfpenny a pound—mutton was three farthings. They were fixed at these prices by the 3rd of the 24th of Henry VIII. But the Act was unpopular both with buyers and with sellers. The old practice had been to sell in the gross, and under that arrangement the rates had been generally lower. Stowe says, ‘ It was this year enacted that butchers should sell their beef and mutton by weight —beef for a halfpenny the pound, and mutton for three farthings ; which being devised for the great commodity of the realm (as it was thought), hath

proved far otherwise : for at that time fat oxen were sold for six and twenty shillings and eightpence the piece ; fat wethers for three shillings and fourpence the piece ; fat calves at a like price ; and fat lambs for twelvepence. The butchers of London sold penny pieces of beef for the relief of the poor—every piece two pound and a half, sometimes three pound for a penny ; and thirteen and sometimes fourteen of these pieces for twelvepence ; mutton eightpence the quarter, and an hundred weight of beef for four shillings and eightpence.' The Act was repealed in consequence of the complaints against it, but the prices never fell again to what they had been, although beef sold in the gross could still be had for a halfpenny a pound in 1570. Other articles of food were in the same proportion. The best pig or goose in a country market could be bought for fourpence ; a good capon for thrcepence or fourpence ; a chicken for a penny ; a hen for twopence.

Strong beer, such as we now buy for eighteenpence a gallon, was then a penny a gallon ; and table-beer less than a halfpenny. French and German wines were eightpence the gallon. Spanish and Portuguese wines a shilling. This was the highest price at which the best wines might be sold ; and if there was any fault in quality or quantity, the dealers forfeited four times the amount. Rent, another important consideration, cannot be fixed so accurately, for

parliament did not interfere with it. Here, however, we are not without very tolerable information. ‘My father,’ says Latimer, ‘was a yeoman, and had no lands of his own ; only he had a *farm of three or four pounds by the year* at the uttermost, and hereupon he tilled so much as kept half-a-dozen men. He had walk for a hundred sheep, and my mother milked thirty kine. He was able, and did find the king a harness with himself and his horse. I remember that I buckled on his harness when he went to Blackheath field. He kept me to school, or else I had not been able to have preached before the King’s Majesty now. He married my sisters with five pounds, or twenty nobles, each, having brought them up in godliness and fear of God. He kept hospitality for his poor neighbours, and some alms he gave to the poor ; and all this he did of the said farm.’ If ‘three or four pounds at the uttermost’ was the rent of a farm yielding such results, the rent of labourers’ cottages is not likely to have been considerable.

§ 11. Some uncertainty is unavoidable in all calculations of the present nature ; yet, after making the utmost allowances for errors, we may conclude from such a table of prices that a penny, in terms of the labourer’s necessities, must have been nearly equal, in the reign of Henry VIII, to the present shilling. For a penny, at the time of which I write, the labourer could buy as much bread, beef, beer, and wine—he

could do as much towards finding lodging for himself and his family—as the labourer of the nineteenth century can for a shilling. I do not see that this admits of question. Turning, then, to the table of wages, it will be easy to ascertain his position. By the 3rd of the 6th of Henry VIII it was enacted that master carpenters, masons, bricklayers, tilers, plumbers, glaziers, joiners, and other employers of such skilled workmen, should give to each of their journeymen, if no meat or drink was allowed, sixpence a day for the half year, fivepence a day for the other half; or fivepence halfpenny for the yearly average. The common labourers were to receive fourpence a day for half the year, for the remaining half, threepence. In the harvest months they were allowed to work by the piece, and might earn considerably more; so that, in fact (and this was the rate at which their wages were usually estimated), the day labourer, if in full employment, received on an average fourpence a day for the whole year. Allowing a deduction of one day in a fortnight for a saint's day or a holiday, he received, therefore, steadily and regularly, if well conducted, an equivalent of something near to twenty shillings a week; and this is far from being a full account of his advantages. Except in rare instances, the agricultural labourer held land in connexion with his house, while in most parishes, if not in all, there were large ranges of common and unenclosed forest

land, which furnished his fuel to him gratis, where pigs might range, and ducks and geese ; where, if he could afford a cow, he was in no danger of being unable to feed it ; and so important was this privilege considered, that when the commons began to be largely enclosed, parliament insisted that the working man should not be without some piece of ground on which he could employ his own and his family's industry. By the 7th of the 31st of Elizabeth, it was ordered that no cottage should be built for residence without four acres of land at lowest being attached to it for the sole use of the occupants of such cottage.

It will, perhaps, be supposed that such comparative prosperity of labour was the result of the condition of the market in which it was sold, that the demand for labour was large and the supply limited, and that the state of England in the sixteenth century was analogous to that of Australia or Canada at the present time. And so long as we confine our view to the question of wages alone, it is undoubted that legislation was in favour of the employer. The Wages Act of Henry VIII was unpopular with the labourers, and was held to deprive them of an opportunity of making better terms for themselves. But we shall fall into extreme error if we translate into the language of modern political economy the social features of a state of things which in no way corresponded to our own. There was this essential difference, that labour was

not looked upon as a market commodity ; the government (whether wisely or not, I do not presume to determine) attempting to portion out the rights of the various classes of society by the rule, not of economy, but of equity. Statesmen did not care for the accumulation of capital ; they desired to see the physical well-being of all classes of the commonwealth maintained at the highest degree which the producing power of the country admitted ; and population and production remaining stationary, they were able to do it. This was their object, and they were supported in it by a powerful and efficient majority of the nation. On the one side parliament interfered to protect employers against their labourers ; but it was equally determined that employers should not be allowed to abuse their opportunities ; and this directly appears from the 4th of the 5th of Elizabeth, by which, on the most trifling appearance of a depreciation in the currency, it was declared that the labouring man could no longer live on the wages assigned to him by the Act of Henry ; and a sliding scale was instituted by which, for the future, wages should be adjusted to the price of food.

§ 12. The same conclusion may be gathered also, indirectly, from other acts, interfering imperiously with the rights of property where a disposition showed itself to exercise them selfishly. The city merchants, as I have said, were becoming landowners ; and some

of them attempted to apply their rules of trade to the management of landed estates. While wages were ruled so high, it answered better as a speculation to convert arable land into pasture ; but the law immediately stepped in to prevent a proceeding which it regarded as petty treason to the commonwealth. Self-protection is the first law of life ; and the country relying for its defence on an able-bodied population, evenly distributed, ready at any moment to be called into action, either against foreign invasion or civil disturbance, it could not permit the owners of land to pursue for their own benefit a course of action which threatened to weaken its garrisons. It is not often that we are able to test the wisdom of legislation by specific results so clearly as in this present instance. The first attempts of the kind which I have described were made in the Isle of Wight, early in the reign of Henry VII. Lying so directly exposed to attacks from France, the Isle of Wight was a place which it was peculiarly important to keep in a state of defence, and the following Act was therefore the consequence :—

‘ Forasmuch as it is to the surety of the Realm of England that the Isle of Wight, in the county of Southampton, be well inhabited with English people, for the defence as well of our antient enemies of the Realm of France as of other parties ; the which Isle is late decayed of people by reason that many towns

and villages have been let down, and the fields dyked and made pasture for beasts and cattle, and also many dwelling-places, farms, and farmholds have of late time been used to be taken into one man's hold and hands, that of old time were wont to be in many several persons' holds and hands, and many several households kept in them ; and thereby much people multiplied, and the same Isle thereby well inhabited, which now, by the occasion aforesaid, is desolate and not inhabited, but occupied with beasts and cattle, so that if hasty remedy be not provided, that Isle cannot long be kept and defended, but open and ready to the hands of the king's enemies, which God forbid. For remedy hereof, it is ordained and enacted that no manner of person, of what estate, degree, or condition soever, shall take any several farms more than one, whereof the yearly value shall not exceed the sum of ten marks ; and if any several leases afore this time have been made to any person or persons of divers and sundry farmholds, whereof the yearly value shall exceed that sum, then the said person or persons shall choose one farmhold at his pleasure, and the remnant of his leases shall be utterly void.'

§ 13. An Act, tyrannical in form, was singularly justified by its consequences. The farms were rebuilt, the lands reploughed, the island repeopled ; and in 1546, when a French army of sixty thousand men attempted to effect a landing at St. Helen's, they were

defeated and driven off by the militia of the island and a few levies transported from Hampshire and the adjoining counties. The money-making spirit, however, lay too deep to be checked so readily. The trading classes were growing rich under the strong rule of the Tudors. Increasing numbers of them were buying or renting land ; and the symptoms complained of broke out in the following reign in many parts of England. They could not choose but break out indeed ; for they were the outward marks of a vital change, which was undermining the feudal constitution, and would by and bye revolutionize and destroy it. Such symptoms it was impossible to extinguish ; but the government wrestled long and powerfully to hold down the new spirit ; and they fought against it successfully, till the old order of things had finished its work, and the time was come for it to depart. By the 1st of the 7th of Henry VIII, the laws of feudal tenure were put in force against the landed traders. Wherever lands were converted from tillage to pasture, the lords of the fee had authority to seize half of all profits until the farm buildings were reconstructed. If the immediate lord did not do his duty, the lord next above him was to do it ; and the evil still increasing, the Act, twenty years later, was extended further, and the king had power to seize. Nor was this all. Sheep-farming had become an integral branch of business ; and falling into the hands

of men who understood each other, it had been made a monopoly, affecting seriously the prices of wool and mutton. Stronger measures were therefore now taken, and the class to which the offenders belonged was especially pointed out by parliament.

‘Whereas,’ says the 13th of the 25th of Henry VIII, ‘divers and sundry persons of the king’s subjects of this Realm, to whom God of his goodness hath disposed great plenty and abundance of moveable substance, now of late, within few years, have daily studied, practised, and invented ways and means how they might accumulate and gather together into few hands, as well great multitude of farms as great plenty of cattle, and in especial, sheep, putting such lands as they can get to pasture and not to tillage ; whereby they have not only pulled down churches and towns and enhanced the old rates of the rents of the possessions of this Realm, or else brought it to such excessive fines that no poor man is able to meddle with it, but also have raised and enhanced the prices of all manner of corn, cattle, wool, pigges, geese, hens, chickens, eggs, and such other commodities, almost double above the prices which hath been accustomed, by reason whereof a marvellous multitude of the poor people of this realm be not able to provide meat, drink and clothes necessary for themselves, their wives, and children, but be so discouraged with misery and poverty, that they fall daily to theft, robbery, and

other inconveniences, or pitifully die for hunger and cold ; and it is thought by the king's humble and loving subjects, that one of the greatest occasions that moveth those greedy and covetous people so to accumulate and keep in their hands such great portions and parts of the lands of this Realm from the occupying of the poor husbandmen, and so to use it in pasture and not in tillage, is the great profit that cometh of sheep which be now come into a few persons' hands, in respect of the whole number of the king's subjects ; it is hereby enacted, that no person shall have or keep on lands not their own inheritance more than 2000 sheep ; that no person shall occupy more than two farms ; and that the 19th of the 4th of Henry VII, and those other acts obliging the lords of the fees to do their duty, shall be re-enacted and enforced.'

§ 14. By these measures the money-making spirit was for a time driven back, and the country resumed its natural course. I am not concerned to defend the economic wisdom of such proceedings ; but they prove, I think, conclusively that the labouring classes owed their advantages not to the condition of the labour market, but to the care of the State ; and that when the State relaxed its supervision, or failed to enforce its regulations, the labourers being left to the market chances, sank instantly in the unequal struggle with capital.

The government, however, remained strong enough to hold its ground (except during the discreditable interlude of the reign of Edward VI) for the first three quarters of the century ; and until that time the working classes in this country remained in a condition more than prosperous. They enjoyed an abundance far beyond what in general falls to the lot of that order in long-settled countries ; incomparably beyond what the same class were enjoying at that very time in Germany or France. The laws secured them ; and that the laws were put in force we have the direct evidence of successive acts of the legislature justifying the general policy by its success : and we have also the indirect evidence of the contented loyalty of the great body of the people at a time when, if they had been discontented, they held in their own hands the means of asserting what the law acknowledged to be their right. The government had no power to compel submission to injustice, as was proved by the fate of an attempt to levy a 'bencvolence' by force, in 1525. The people resisted with a determination against which the Crown commissioners were unable to contend, and the scheme ended with an acknowledgment of fault by Henry, who retired with a good grace from an impossible position. If the peasantry had been suffering under any real grievances we should not have failed to have heard of them when the religious rebellions furnished so fair an opportunity to press them

forward. Complaint was loud enough when complaint was just, under the Somerset protectorate.

§ 15. The incomes of the great nobles cannot be determined, for they varied probably as much as they vary now. Under Henry IV the average income of an earl was estimated at 2000*l.* a year. Under Henry VIII, the great Duke of Buckingham, the wealthiest English peer, had 6000*l.* And the income of the Archbishop of Canterbury was rated at the same amount. But the establishments of such men were enormous; their ordinary retinues in time of peace consisting of many hundred persons; and in war, when the duties of a nobleman called him to the field, although in theory his followers were paid by the Crown, yet the grants of parliament were on so small a scale that the theory was seldom converted into fact, and a large share of the expenses were paid often out of private purses. The Duke of Norfolk, in the Scotch war of 1523, declared (not complaining of it, but merely as a reason why he should receive support) that he had spent all his private means upon the army; and in the sequel of this history we shall find repeated instances of knights and gentlemen voluntarily ruining themselves in the service of their country. The people, not universally, but generally, were animated by a true spirit of sacrifice; by a true conviction that they were bound to think first of England, and only next of themselves; and unless

we can bring ourselves to understand this, we shall never understand what England was under the reigns of the Plantagenets and Tudors. The expenses of the court under Henry VII were a little over 14,000*l.* a year, out of which were defrayed the whole cost of the king's establishment, the expenses of entertaining foreign ambassadors, the wages and maintenance of the yeomen of the guard, the retinues of servants, and all necessary outlay not incurred for public business. Under Henry VIII, of whose extravagance we have heard so much, and whose court was the most magnificent in the world, these expenses were 19,894*l.* 16*s.* 8*d.*, a small sum when compared with the present cost of the royal establishment, even if we adopt the relative estimate of twelve to one, and suppose it equal to 240,000*l.* a year of our money. But indeed it was not equal to 240,000*l.*; for, although the proportion held in articles of common consumption, articles of luxury were very dear indeed.

§ 16. Passing down from the king and his nobles, to the body of the people, we find that the income qualifying a country gentleman to be justice of the peace was 20*l.* a year, and if he did his duty, his office was no sinecure. We remember Justice Shallow and his clerk Davy, with his novel theory of magisterial law; and Shallow's broad features have so English a cast about them, that we may believe there were many such, and that the duty was not always very

excellently done. But the Justice Shallows were not allowed to repose upon their dignity. The justice of the peace was required not only to take cognizance of open offences, but to keep surveillance over all persons within his district, and over himself in his own turn there was a surveillance no less sharp, and penalties for neglect prompt and peremptory. Four times a year he was to make proclamation of his duty, and exhort all persons to complain against him who had occasion. Twenty pounds a year, and heavy duties to do for it, represented the condition of the squire of the parish. By the 2nd of the 2nd of Henry V, 'the wages' of a parish priest were limited to 5*l.* 6*s.* 8*d.*, except in cases where there was special license from the bishop, when they might be raised as high as 6*l.* Priests were probably something better off under Henry VIII, but the statute remained in force, and marks an approach at least to their ordinary salary. The priest had enough, being unmarried, to supply him in comfort with the necessaries of life. The squire had enough to provide moderate abundance for himself and his family. Neither priest nor squire was able to establish any steep differences in outward advantages between himself and the commons among whom he lived.

§ 17. The habits of all classes were open, free, and liberal. There are two expressions corresponding one to the other, which we frequently meet with in old

writings, and which are used as a kind of index, marking whether the condition of things was or was not what it ought to be. We read of 'merry England,'—when England was not merry, things were not going well with it; we hear of 'the glory of hospitality,' England's pre-eminent boast,—by the rules of which all tables, from the table of the twenty-shilling free-holder to the table in the baron's hall and abbey refectory, were open at the dinner hour to all comers, without stint or reserve, or question asked. To every man, according to his degree, who chose to ask for it, there was free fare and free lodging; bread, beef, and beer for his dinner; for his lodging, perhaps, only a mat of rushes in a spare corner of the hall, with a billet of wood for a pillow, but freely offered and freely taken, the guest probably faring much as his host fared, neither worse nor better. There was little fear of an abuse of such licence, for suspicious characters had no leave to wander at pleasure; and for any man found at large, and unable to give a sufficient account of himself, there were the ever-ready parish stocks or town gaol. The 'glory of hospitality' lasted far down into Elizabeth's time; and then, as Camden says, 'came in great bravery of building, to the marvellous beautifying of the realm, but to the decay' of what he valued more.

In such frank style the people lived, hating three things with all their hearts: idleness, want, and

cowardice ; and for the rest, carrying their hearts high, and having their hands full. The hour of rising, winter and summer, was four o'clock, with breakfast at five, after which the labourers went to work and the gentlemen to business, of which they had no little. In the country every unknown face was challenged and examined—if the account given was insufficient, he was brought before the justice ; if the village shop-keeper sold bad wares, if the village cobbler made 'unhonest' shoes, if servants and masters quarrelled, all was to be looked to by the justice ; there was no fear lest time should hang heavy with him. At twelve he dined ; after dinner he went hunting, or to his farm, or to what he pleased. It was a life unrefined, perhaps, but coloured with a broad, rosy, English health.

§ 18. Of the education of noblemen and gentlemen we have contradictory accounts, as might be expected. The universities were well filled, by the sons of yeomen chiefly. The cost of supporting them at the colleges was little, and wealthy men took a pride in helping forward any boys of promise. It seems clear also, as the Reformation drew nearer, while the clergy were sinking lower and lower, a marked change for the better became perceptible in a portion at least of the laity. The more old-fashioned of the higher ranks were slow in moving ; for as late as the reign of Edward VI there were peers of parliament unable to

read ; but on the whole, the invention of printing, and the general ferment which was commencing all over the world, had produced marked effects in all classes. Henry VIII himself spoke four languages, and was well read in theology and history ; and the high accomplishments of More and Sir T. Elliott, of Wyatt and Cromwell, were but the extreme expression of a temper which was rapidly spreading, and which gave occasion, among other things, to the following reflection in Erasmus. ‘ Oh, strange vicissitudes of human things,’ exclaims he. ‘ Heretofore the heart of learning was among such as professed religion. Now, while they for the most part give themselves up, *ventri luxui pecuniaeque*, the love of learning is gone from them to secular princes, the court, and the nobility. May we not justly be ashamed of ourselves ? The feasts of priests and divines are drowned in wine, are filled with scurrilous jests, sound with intemperate noise and tumult, flow with spiteful slanders and defamation of others ; while at princes’ tables modest disputationes are held concerning things which make for learning and piety.’

A letter to Thomas Cromwell from his son’s tutor will not be without interest on this subject ; Cromwell was likely to have been unusually careful in his children’s training, and we need not suppose that all boys were brought up as prudently. Sir Peter Carew, for instance, being a boy at about the same time, and

giving trouble at the High School at Exeter, was led home to his father's house at Ottery, coupled between two foxhounds. Yet the education of Gregory Cromwell is probably not far above what many young men of the middle and higher ranks were beginning to receive. Henry Dowes was the tutor's name, beyond which fact I know nothing of him. His letter is as follows :—

‘ After that it pleased your mastership to give me in charge, not only to give diligent attendance upon Master Gregory, but also to instruct him with good letters, honest manners, pastyme of instruments, and such other qualities as should be for him meet and convenient, *pleaseth* it you to understand that for the accomplishment thereof I have endeavoured myself by all ways possible to excogitate how I might most profit him. In which behalf, through his diligence, the success is such as I trust shall be to your good contentation and pleasure, and to his no small profit. But for cause the summer was spent in the service of the wild gods, [and] it is so much to be regarded after what fashion youth is brought up, in which time that that is learned for the most part will not be wholly forgotten in the older years, I think it my duty to ascertain your mastership how he spendeth his time. And first after he hath heard mass he taketh a lecture of a dialogue of Erasmus' *Colloquies*, called *Pietas Puerilis*. wherein is described a very

picture of one that should be virtuously brought up ; and for cause it is so necessary for him, I do not only cause him to read it over, but also to practise the precepts of the same. After this he exerciseth his hand in writing one or two hours, and readeth upon Fabyan's *Chronicle* as long. The residue of the day he doth spend upon the lute and virginals. When he rideth, as he doth very oft, I tell him by the way some history of the Romans or the Greeks, which I cause him to rehearse again in a tale. For his recreation he useth to hawk and hunt and shoot in his long bow, which frameth and succeedeth so well with him that he seemeth to be thereunto given by nature.'

§ 19. I have spoken of the organization of the country population, I have now to speak of that of the towns, of the trading classes and manufacturing classes, the regulations respecting which are no less remarkable and no less illustrative of the national character. If the tendency of trade to assume at last a form of mere self-interest be irresistible, if political economy represent the laws to which in the end it is forced to submit itself, the nation spared no efforts, either of art or policy, to defer to the last moment the unwelcome conclusion.

The names and shadows linger about London of certain ancient societies, the members of which may still occasionally be seen in quaint gilt barges pursuing their now difficult way among the swarming

steamers ; when on certain days, the traditions concerning which are fast dying out of memory, the Fishmongers' Company, the Goldsmiths' Company, the Mercers' Company, make procession down the river for civic feastings at Greenwich or Blackwall. The stately tokens of ancient honour still belong to them, and the remnants of ancient wealth and patronage and power. Their charters may still be read by curious antiquaries, and the bills of fare of their ancient entertainments. But for what purpose they were called into being, what there was in these associations of common trades to surround with gilded insignia, and how they came to be possessed of broad lands and church preferments, few people now care to think or to inquire. Trade and traders have no dignity any more in the eyes of any one, except what money lends to them ; and these outward symbols scarcely rouse even a passing feeling of curiosity. And yet these companies were once something more than names. They are all which now remain of a vast organization which once penetrated the entire trading life of England—an organization set on foot to realize that most necessary, if most difficult, condition of commercial excellence under which man should deal faithfully with his brother, and all wares offered for sale, of whatever kind, should honestly be what they pretend to be. I spoke of the military principle which directed the distribution and the arrangements of

land. The analogy will best explain a state of things in which every occupation was treated as the division of an army ; regiments being quartered in every town, each with its own self-elected officers, whose duty was to exercise authority over all persons professing the business to which they belonged, who were to see that no person undertook to supply articles which he had not been educated to manufacture, who were to determine the prices at which such articles ought justly to be sold ; above all, who were to take care that the common people really bought at shops and stalls what they supposed themselves to be buying ; that cloth put up for sale was true cloth, of true texture and full weight : that leather was sound and well tanned ; wine pure, measures honest ; flour unmixed with devil's dust ;---who were generally to look to it that, in all contracts between man and man for the supply of man's necessities, what we call honesty of dealing should be truly and faithfully observed. An organization for this purpose did once really exist in England, really trying to do the work which it was intended to do, as half the pages of our early statutes witness. In London, as the metropolis, a central council sate for every branch of trade, and this council was in communication with the Chancellor and the Crown. It was composed of the highest and most respectable members of the profession, and its office was to determine prices, fix wages, arrange the rules of apprenticeship,

and discuss all details connected with the business on which legislation might be required. Further, this council received the reports of the searchers—high officers taken from their own body, whose business was to inspect, in company with the lord mayor or some other city dignitary, the shops of the respective traders ; to receive complaints, and to examine into them. In each provincial town local councils sate in connexion with the municipal authorities, who fulfilled in these places the same duties ; and their reports being forwarded to the central body, and considered by them, representations on all necessary matters were then made to the privy council ; and by the privy council, if requisite, were submitted to parliament. If these representations were judged to require legislative interference, the statutes which were passed in consequence were returned through the Chancellor to the mayors of the various towns and cities, by whom they were proclaimed as law. No person was allowed to open a trade or to commence a manufacture, either in London or the provinces, unless he had first served his apprenticeship ; unless he could prove to the satisfaction of the authorities that he was competent in his craft ; and unless he submitted as a matter of course to their supervision. The legislature had undertaken not to let that indispensable task go wholly unattempted, of distributing the various functions of society by the

rule of capacity ; of compelling every man to do his duty in an honest following of his proper calling, securing to him that he in his turn should not be injured by his neighbour's misdoings.

§ 20. The State further promising for itself that all able-bodied men should be found in work, and not allowing any man to work at a business for which he was unfit, insisted as its natural right that children should not be allowed to grow up in idleness, to be returned at mature age upon its hands. Every child, so far as possible, was to be trained up in some business or calling, idleness 'being the mother of all sin,' and the essential duty of every man being to provide honestly for himself and his family. The educative theory, for such it was, was simple but effective : it was based on the single principle that, next to the knowledge of a man's duty to God, and as a means towards doing that duty, the first condition of a worthy life was the ability to maintain it in independence. Varieties of inapplicable knowledge might be good, but they were not essential ; such knowledge might be left to the leisure of after years, or it might be dispensed with without vital injury. Ability to labour could not be dispensed with, and this, therefore, the State felt it to be its own duty to see provided ; so reaching, I cannot but think, the heart of the whole matter. The children of those who could afford the small entrance fees were apprenticed to

trades, the rest were apprenticed to agriculture ; and if children were found growing up idle, and their fathers or their friends failed to prove that they were able to secure them an ultimate maintenance, the mayors in towns and the magistrates in the country had authority to take possession of such children, and apprentice them as they saw fit, that when they grew up ‘they might not be driven’ by want or incapacity ‘to dishonest courses.’

Such is an outline of the organization of English society under the Plantagenets and Tudors. A detail of the working of the trade laws would be beyond my present purpose. It is obvious that such laws could be enforced only under circumstances when production and population remained (as I said before) nearly stationary ; and it would be madness to attempt to apply them to the changed condition of the present. It would be well if some competent person would make these laws the subject of a special treatise. I will run the risk, however, of wearying the reader with two or three illustrative statutes, which I have chosen, not as being more significant than many others, but as specimens merely of the discipline under which, for centuries, the trade and manufactures of England contrived to move ; showing on one side the good which the system effected, on the other the inevitable evils under which it finally sank.

§ 21. The first which I shall quote concerns simply the sale of specific goods and the means by which tradesmen were prevented from enhancing prices. The Act is the 6th of the 24th of Henry VIII, and concerns the sale of wines, the statute prices of which I have already mentioned.

‘Because,’ says this Act, ‘that divers merchants inhabiting within the city of London have of late not only presumed to bargain and sell in gross to divers of the king’s subjects great quantities of wines of Gascony, Guienne, and French wines, some for five pounds per tonne, some for more and some for less, and so after the rate of excessive prices contrary to the effect of a good and laudable statute lately made in this present parliament ; that is to say, contrary to and above the prices thereof set by the Right Honourable the Lord Chancellor, Lord Treasurer, Lord President of the King’s most honourable Council, Lord Privy Seal, and the two Chief Justices of either bench, whereby they be fallen into the penalties limited by the said statute ; as by due proof made by examination taken is well known—but also having in their hands great abundance of wine, by them acquired and bought to be sold, obstinately and maliciously, since their said attemptate and defaults proved, have refused to bargain and sell to many of the king’s subjects any of their said wines remaining and being in their hands ; purposing and intending

thereby their own singular and unreasonable lucres and profits, to have larger and higher prices of their said wines, to be set according to their insatiable appetites and minds ; it is therefore ordained and enacted, by authority of this present parliament, that every merchant now having, or which shall hereafter have, wines to be sold, and refusing to sell or deliver, or not selling and delivering any of the said wines for ready money therefore to be paid, according to the price or prices thereof being set, shall forfeit and lose the value of the wine so required to be bought.

. . . . For due execution of which provision, and for the relief of the king's subjects, it shall be lawful to all and singular justices of the peace, mayors, bailiffs, and other head officers in shires, cities, boroughs, towns, &c., at the request of any person to whom the said merchant or merchants have refused to sell, to enter into the cellars and other places where such wines shall lie or be, and to sell and deliver the same wine or wines desired to be bought to the person or persons requiring to buy the same ; taking of the buyer of the wine so sold to the use and satisfaction of the proprietor aforesaid, according to the prices determined by the law.'

The next which I select is the 11th of the 2nd and 3rd of Philip and Mary : and falling in the midst of the smoke of the Smithfield fires, and the cruelties of that melancholy time, it shines like a fair gleam of

humanity, which will not lose anything of its lustre because the evils against which it contends have in our times, also, furnished matter for sorrow and calamity—calamity which we unhappily have been unable even to attempt to remedy. It is termed 'An Act touching Weavers,' and runs :

' Forasmuch as the weavers of this realm have, as well at this present parliament as at divers other times, complained that the rich and wealthy clothiers do in many ways oppress them—some by setting up and keeping in their houses divers looms, and keeping and maintaining them by journeymen and persons unskilful, to the decay of a great number of artificers which were brought up in the said science of weaving, with their families and their households—some by engrossing of looms into their hands and possession, and letting them out at such unreasonable rents, as the poor artificers are not able to maintain themselves, much less to maintain their wives, families, and children—some also by giving much less wages and hire for weaving and workmanship than in times past they did, whereby they are enforced utterly to forsake their art and occupation wherein they have been brought up : It is, therefore, for remedy of the premises, and for the avoiding of a great number of inconveniences which may grow if in time it be not foreseen, ordained and enacted by authority of this present parliament, that no person using the feat or

mystery of cloth-making, and dwelling out of a city, borough, market-town, or corporate town, shall keep, or retain, or have in his or their houses or possession, any more than one woollen loom at a time ; nor shall by any means, directly or indirectly, receive or take any manner of profit, gain, or commodity, by letting or setting any loom, or any house wherein any loom is or shall be used or occupied, which shall be together by him set or let, upon pain of forfeiture for every week that any person shall do the contrary to the tenor and true meaning hereof, twenty shillings.'

A provision then follows, limiting weavers living in towns to two looms—the plain intention being to prevent the cloth manufacture from falling into the power of large capitalists employing 'hands ; ' and to enable as many persons as possible to earn all in their own homes their own separate independent living. I suppose that the parliament was aware that by pursuing this policy, the cost of production was something increased ; that cloth was thus made dearer than it would have been if trade had been left to follow its own course. It considered, however, that the loss was compensated to the nation by retaining its people in the condition not of 'hands,' but of men ; by rendering them independent of masters, who only sought to make their own advantage at the expense of labour ; and enabling them to continue to maintain themselves in manly freedom.

§ 22. The weak point of all such provisions did not lie, I think, in the economic aspect of them, but in a far deeper difficulty. The details of trade legislation, it is obvious, could only be determined by persons professionally conversant with those details ; and the indispensable condition of success with such legislation is, that it be conducted under the highest sense of the obligations of honesty. No laws are of any service which are above the working level of public morality ; and the deeper they are carried down into life, the larger become the opportunities of evasion. That the system succeeded for centuries is evident from the organization of the companies remaining so long in its vitality ; but the efficiency of this organization for the maintenance of fair dealing could exist only so long as the companies themselves—their wardens and their other officials, who alone, *quisque in sua arte*, were competent to judge what was right and what was wrong, could be trusted, at the same time being interested parties, to give a disinterested judgment. The largeness of the power inevitably committed to the councils was at once a temptation and an opportunity to abuse those powers ; and slowly through the statute book we find the traces of the poison as it crept in and in. Already in the 24th of Henry VIII, we meet with complaints in the leather trade of the fraudulent conduct of the searchers, whose duty was to affix their

seal upon leather ascertained to be sound, before it was exposed for sale, ‘ which mark or print, for corruption and lucre, is commonly set and put by such as take upon them the search and sealing, as well upon leather insufficiently tanned, as upon leather well tanned, to the great deceit of the buyers thereof.’ About the same time, the ‘ craft wardens’ of the various fellowships, ‘ out of sinister mind and purpose,’ were levying excessive fees on the admission of apprentices ; and when parliament interfered to bring them to order, they ‘ compassed and practised by cautill and subtle means to delude the good and wholesome statutes passed for remedy.’ The old proverb, *Quis custodiet custodes*, had begun to verify itself, and the symptom was a fatal one. These evils, for the first half of the century, remained within compass ; but as we pass on we find them increasing steadily. In the 7th and the 8th of Elizabeth, there are indications of the truck system ; and towards her later years, the multiplying statutes and growing complaints and difficulties show plainly that the companies had lost their healthy vitality, and, with other relics of feudalism, were fast taking themselves away. There were no longer tradesmen to be found in sufficient numbers who were possessed of the necessary probity ; and it is impossible not to connect such a phenomenon with the deep melancholy which in those years settled down on Elizabeth herself.

§ 23. For, indeed, a change was coming upon the world, the meaning and direction of which even still is hidden from us, a change from era to era. The paths trodden by the footsteps of ages were broken up ; old things were passing away, and the faith and the life of ten centuries were dissolving like a dream. Chivalry was dying ; the abbey and the castle were soon together to crumble into ruins ; and all the forms, desires, beliefs, convictions of the old world were passing away, never to return. A new continent had risen up beyond the western sea. The floor of heaven, inlaid with stars, had sunk back into an infinite abyss of immeasurable space ; and the firm earth itself, unfixed from its foundations, was seen to be but a small atom in the awful vastness of the universe. In the fabric of habit in which they had so laboriously built for themselves, mankind were to remain no longer.

And now it is all gone—like an unsubstantial pageant faded ; and between us and the old English there lies a gulf of mystery which the prose of the historian will never adequately bridge. They cannot come to us, and our imagination can but feebly penetrate to them. Only among the aisles of the cathedrals, only as we gaze upon their silent figures sleeping on their tombs, some faint conceptions float before us of what these men were when they were alive ; and perhaps in the sound of church bells, that

peculiar creation of mediæval age, which falls upon the ear like an echo of a vanished world.

§ 24. The transition out of this old state is what in this book I have undertaken to relate. As yet there were uneasy workings below the surface ; but the crust was unbroken, and the nation remained outwardly unchanged as it had been for centuries. I have still some few features to add to my description.

Nothing, I think, proves more surely the mutual confidence which held together the government and the people, than the fact that all classes were armed. Every man, as I have already said, was a soldier ; and every man was ready equipped at all times with the arms which corresponded to his rank. By the great statute of Winchester, which was repeated and expanded on many occasions in the after reigns, it was enacted, ' That every man have harness in his house to keep the peace after the antient assise—that is to say, every man between fifteen years of age and sixty years shall be assessed and sworn to armour according to the quantity of his lands and goods—that is, to wit, for fifteen pounds lands and forty marks goods, a hauberke, a helmet of iron, a sword, a dagger, and a horse. For ten pounds of lands and twenty marks goods, a hauberke, a helmet, a sword, and a dagger. For five pounds lands, a doublet, a helmet of iron, a sword, and a dagger. For forty shillings lands, a sword, a bow and arrows, and a dagger. And all

others that may shall have bows and arrows. Review of armour shall be made every year two times, by two constables for every hundred and franchise thereunto appointed ; and the constables shall present, to justices assigned for that purpose, such defaults as they do find.'

§ 25. As the archery was more developed, and 'the bow became the peculiar weapon of the English, regular practice was ordered, and shooting became at once the drill and the amusement of the people. Every hamlet had its pair of butts ; and on Sundays and holidays all able-bodied men were required to appear in the field, to employ their leisure hours 'as valyant Englishmen ought to do,' 'utterly leaving the play at the bowls, quoits, dice, karts, and other unthrifty games ;' magistrates, mayors, and bailiffs being responsible for their obedience, under penalty, if these officers neglected their duty, of a fine of twenty shillings for each offence. On the same days, the tilt-yard at the Hall or Castle was thrown open, and the young men of rank amused themselves with similar exercises. Fighting, or mock fighting—and the imitation was not unlike the reality—was at once the highest enjoyment and the noblest accomplishment of all ranks in the State ; and over that most terrible of human occupations they had flung the enchanted halo of chivalry, decorating it with all the fairest graces, and consecrating it with the most heroic aspirations.

The chivalry, with much else, was often perhaps something ideal. In the wars of the Roses it had turned into mere savage ferocity ; and in forty years of carnage the fighting propensities had glutted themselves. A reaction followed, and in the early years of Henry VIII the statutes were growing obsolete, and 'the unlawful games' rising again into favour. The younger nobles, or some among them, were shrinking from the tilt-yard, and were backward on occasions even when required for war. Lord Surrey, when waiting on the Border, expecting the Duke of Albany to invade the northern counties, in 1523, complained of the growing 'slowness' of the young lords 'to be at such journeys,' and of their 'inclination to dancing, carding, and dicing.' 'The people had followed the example, and were falling out of archery practice, exchanging it for similar amusements. Henry VIII, in his earlier days an Englishman after the old type, set himself resolutely to oppose these downward tendencies, and to brace again the slackened sinews of the nation. In his own person he was the best rider, the best lance, and the best archer in England ; and while a boy he was dreaming of fresh Agincourts, and even of fresh Crusades. In 1511, when he had been king only three years, parliament re-enacted the Winchester statute, with new and remarkable provisions ; and twice subsequently in the course of his reign he returned back upon the subject, insisting

upon it with increasing stringency. The language of the Act of 1511 is not a little striking. 'The King's Highness,' so the words run, 'calling to his gracious remembrance that by the feats and exercise of the subjects of his realm in shooting in long bows, there had continually grown and been within the same great numbers and multitudes of good archers, which hath not only defended the realm and the subjects thereof against the cruel malice and dangers of their enemies in times heretofore past, but also, with little numbers and puissance in regard to their opposites, have done many notable acts and discomfitures of war against the infidels and others; and furthermore reduced divers regions and countries to their due obeysance, to the great honour, fame, and surety of this realm and subjects, and to the terrible dread and fear of all strange nations anything to attempt or do to the hurt or damage of them: Yet nevertheless that archery and shooting in long bows is but little used, but daily does diminish and decay, and abate more and more; for that much part of the commonalty and poor people of this realm, whereby of old time the great number and substance of archers had grown and multiplied, be not of power nor ability to buy them long bows of yew to exercise shooting in the same, and to sustain the continual charge thereof; and also because, by means and occasions of customable usage of tennis play, bowles, claish, and other unlawful

games, prohibited by many good and beneficent statutes, much impoverishment hath ensued : Wherefore, the King's Highness, of his great wisdom and providence, and also for zeal to the public weal, surety, and defence of this his realm, and the antient fame in this behalf to be revived, by the assent of his Lords, Spiritual and Temporal, and his Commons, in this present parliament assembled, hath enacted and established that the statute of Winchester for archers be put in due execution ; and over that, that every man being the king's subject, not lame, decrepit, or maimed, being within the age of sixty years, except spiritual men, justices of the one bench and of the other, justices of the assize, and barons of the exchequer, do use and exercise shooting in long bows, and also do have a bow and arrows ready continually in his house, to use himself in shooting. And that every man having a man child or men children in his house, shall provide for all such, being of the age of seven years and above, and till they shall come to the age of seventeen years, a bow and two shafts, to learn them and bring them up in shooting ; and after such young men shall come to the age of seventeen years, every of them shall provide and have a bow and four arrows continually for himself, at his proper costs and charges, or else of the gift and provision of his friends, and shall use the same as afore is rehearsed.' Other provisions are added, designed to suppress the games

complained of, and to place the bows more within the reach of the poor, by cheapening the prices of them.

The same statute (and if this be a proof that it had imperfectly succeeded, it is a proof also of Henry's confidence in the general attachment of his subjects) was re-enacted thirty years later, at the crisis of the Reformation, when the northern counties were fermenting in a half-suppressed rebellion, and the Catholics at home and abroad were intriguing to bring about a revolution. In this subsequent edition of it some particulars are added which demand notice. In the directions to the villages for the maintaining each 'a pair of buttes,' it is ordered that no person above the age of twenty-four shall shoot with the light flight arrow at a distance under two hundred and twenty yards. Up to two hundred and twenty yards, therefore, the heavy war arrow was used, and this is to be taken as the effective range for fighting purposes of the old archery. No measures could have been invented more effective than this vigorous arming to repress the self-seeking tendencies in the mercantile classes which I have mentioned as beginning to show themselves. Capital supported by force may make its own terms with labour; but capital lying between a king on one side resolved to prevent oppression, and a people on the other side in full condition to resist, felt even prudence dictate moderation, and reserved itself for a more convenient season.

Looking, therefore, at the state of England as a whole, I cannot doubt that under Henry the body of the people were prosperous, well-fed, loyal, and contented. In all points of material comfort they were as well off as they had ever been before ; better off than they have ever been in later times.

§ 26. Their amusements, as prescribed by statute, consisted in training themselves as soldiers. In the prohibitions of the statutes we see also what their amusements were inclined to be. But besides 'the bowles and the claish,' field sports, fishing, shooting, hunting, were the delight of every one, and although the forest laws were terrible, they served only to enhance the excitement by danger. Then, as now, no English peasant could be convinced that there was any moral crime in appropriating the wild game. It was an offence against statute law, but no offence against natural law ; and it was rather a trial of skill between the noble who sought to monopolize a right which seemed to be common to all, and those who would succeed, if they could, in securing their own share of it. The Robin Hood ballads reflect the popular feeling and breathe the warm genial spirit of the old greenwood adventurers. If deer stealing was a sin, it was more than compensated by the risk of the penalty to which those who failed submitted, when no other choice was left. They did not always submit, as the old northern poem shows of *Adam Bell*,

Clym of the Clough, and William of Cloudislee, with its most immoral moral ; yet I suppose there was never pedant who could resist the spell of those ringing lines, or refuse with all his heart to wish the rogues success, and confusion to the honest men.

But the English peasantry had pleasures of less ambiguous propriety, and less likely to mislead our sympathies. The chroniclers have given us many accounts of the masques and plays which were acted in the court, or in the castles of the noblemen. Such pageants were but the most splendid expression of a taste which was national and universal. As in ancient Greece, generations before the rise of the great dramas of Athens, itinerant companies wandered from village to village, carrying their stage furniture in their little carts, and acted in their booths and tents the grand stories of the mythology ; so in England the mystery players haunted the wakes and fairs, and in barns or taverns, taprooms, or in the farmhouse kitchen, played at saints and angels, and transacted on their petty stage the entire drama of the Christian faith. To us, who can measure the effect of such scenes only by the impression which they would now produce upon ourselves, these exhibitions can seem but unspeakably profane : they were not profane when tendered in simplicity, and received as they were given. They were no more profane than those quaint monastic illuminations which formed the germ of

Italian art ; and as out of the illuminations arose those paintings which remain unapproached and unapproachable in their excellence, so out of the mystery plays arose the English drama, represented in its final completeness by the creations of a poet who, it now begins to be supposed, stands alone among mankind. We allow ourselves to think of Shakspeare or of Raphael or of Phidias, as having accomplished their work by the power of their own individual genius ; but greatness like theirs is never more than the highest degree of an excellence which prevails widely round it, and forms the environment in which it grows. No single mind in single contact with the facts of nature could have created out of itself a Pallas, a *Madonna*, or a *Lear* ; such vast conceptions are the growth of ages, the creations of a nation's spirit ; and artist and poet, filled full with the power of that spirit, have but given them form, and nothing more than form. Nor would the form itself have been attainable by any isolated talent. No genius can dispense with experience ; the aberrations of power, unguided or ill-guided, are ever in proportion to its intensity, and life is not long enough to recover from inevitable mistakes. Noble conceptions already existing, and a noble school of execution which will launch mind and hand at once upon their true courses, are indispensable to transcendent excellence ; and Shakspeare's plays were as much the offspring of the long

generations who had pioneered his road for him, as the discoveries of Newton were the offspring of those of Copernicus.

§ 27. No great general ever arose out of a nation of cowards ; no great statesman or philosopher out of a nation of fools ; no great artist out of a nation of materialists ; no great dramatist except when the drama was the passion of the people. Acting was the especial amusement of the English, from the palace to the village green. It was the result and expression of their strong tranquil possession of their lives, of their thorough power over themselves, and power over circumstances. They were troubled with no subjective speculations ; no social problems vexed them with which they were unable to deal ; and in the exuberance of vigour and spirits they were able, in the strict and literal sense of the word, to play with the materials of life. The mystery plays came first ; next the popular legends ; and then the great figures of English history came out upon the stage, or stories from Greek and Roman writers ; or sometimes it was an extemporized allegory. Shakspeare himself has left us many pictures of the village drama. Doubtless he had seen many a Bottom in the old Warwickshire hamlets ; many a Sir Nathaniel playing 'Alisander,' and finding himself 'a little o'er-parted.' He had been with Snug the joiner, Quince the carpenter, and Flute the bellows-mender, when a

boy, we will not question, and acted with them, and written their parts for them ; had gone up with them in the winter's evenings to the Lucy's Hall, before the sad trouble with the deer-stealing ; and afterwards, when he came to London and found his way into society, he had not failed to see Polonius burlesquing Cæsar on the stage, as in his proper person Polonius burlesqued Sir William Cecil. The strolling players in *Hamlet* might be met at every country wake or festival ; it was the direction in which the especial genius of the people delighted to revel. As I desire in this chapter not only to relate what were the habits of the people, but to illustrate them also, within such compass as I can allow myself, I shall transcribe out of Hall a description of a play which was acted by the boys of St. Paul's School, in 1527, at Greenwich, adding some particulars, not mentioned by Hall, from another source. It is a good instance of the fantastic splendour with which exhibitions of this kind were got up, and it possesses also a melancholy interest of another kind, as showing how little the wisest among us can foresee our own actions, or assure ourselves that the convictions of to-day will alike be the convictions of to-morrow. The occasion was the despatch of a French embassy to England, when Europe was outraged by the Duke of Bourbon's capture of Rome, when the children of Francis I were prisoners in Spain, and Henry, with the full energy of

his fiery nature, was flinging himself into a quarrel with Charles V, as the champion of the Holy See.

§ 28. At the conclusion of a magnificent supper 'the king led the ambassadors into the great chamber of disguisings ; and in the end of the same chamber was a fountain, and one side was a hawthorne tree, all of silk, with white flowers, and on the other side was a mulberry tree full of fair berries, all of silk. On the top of the hawthorne was the arms of England, compassed with the collar of the order of St. Michael, and in the top of the mulberry tree stood the arms of France within a garter. The fountain was all of white marble, graven and chased ; the bases of the same were balls of gold, supported by ramping beasts wound in leaves of gold. In the first work were gargoilles of gold, fiercely faced with spouts running. The second receit of this fountain was environed with winged serpents, all of gold, which griped it ; and on the summit of the same was a fair lady, out of whose breasts ran abundantly water of marvellous delicious savour. About this fountain were benches of rosemary, fretted in braydes laid on gold, all the sides set with roses, on branches as they were growing about this fountain. On the benches sate eight fair ladies in strange attire, and so richly apparellled in cloth of gold, embroidered and cut over silver, that I cannot express the cunning workmanship thereof. Then when the king and queen were set there was played

before them, by children, in the Latin tongue, a manner of tragedy, the effect whereof was that the pope was in captivity and the church brought under foot. Whereupon St. Peter appeared and put the cardinal (Wolsey) in authority to bring the pope to his liberty, and to set up the church again. And so the cardinal made intercession with the kings of England and France that they took part together, and by their means the pope was delivered. Then in came the French king's children, and complained to the cardinal how the emperour kept them as hostages, and would not come to reasonable point with their father, whereupon they desired the cardinal to help for their deliverance ; which wrought so with the king his master and the French king that he brought the emperour to a peace, and caused the two young princes to be delivered.' So far Hall relates the scene, but there was more in the play than he remembered or cared to notice, and I am able to complete this curious picture of a pageant once really and truly a living spectacle in the old palace at Greenwich, by an inventory of the dresses worn by the boys and a list of the *dramatis persona*.

§ 29. The school-boys of St. Paul's were taken down the river with the master in six boats, at the cost of a shilling a boat—the cost of the dresses and the other expenses amounting in all to sixty-one shillings.

The characters were—

An orator in apparel of cloth of gold.

Religio, Ecclesia, Veritas, like three widows, in garments of silk, and suits of lawn and cypress.

Heresy and False Interpretation, like sisters of Bohemia, apparelled in silk of divers colours.

The heretic Luther, like a party friar, in russet damask and black taffety.

Luther's wife, like a frow of Spiers in Almayn, in red silk.

Peter, Paul, and James, in habits of white sarsnet, and three red mantles, and lace of silver and damask, and pelisses of scarlet.

A Cardinal in his apparel.

Two Sergeants in rich apparel.

The Dolphin and his brother in coats of velvet embroidered with gold, and capes of satin bound with velvet.

A Messenger in tinsel satin.

Six men in gowns of grey sarsnet.

Six women in gowns of crimson velvet.

War, in rich cloth of gold and feathers, armed.

Three Almeyns, in apparel all cut and holed in silk.

Lady Peace in lady's apparel white and rich.

Lady Quietness and Dame Tranquillity richly beseen in lady's apparel.

§ 30. It is a strange world. This was in November, 1527. In November, 1530, but three brief years after, Wolsey lay dying in misery, a disgraced man, at Leicester Abbey ; 'the Pope's Holiness' was fast becoming in English eyes plain Bishop of Rome, held guilty towards this realm of unnumbered enormities, and all England was sweeping with immeasurable velocity towards the heretic Luther. So history repeats the lesson to us, not to boast ourselves of the morrow, for we know not what a day may bring forth.

Before I conclude this survey, it remains for me to say something of the position of the poor, and of the measures which were taken for the solution of that most difficult of all problems, the distinguishing the truly deserving from the worthless and the vagabond. The subject is one to which in the progress of this work I shall have more than one occasion to return ; but inasmuch as a sentimental opinion prevails that an increase of poverty and the consequent enactment of poor-laws was the result of the suppression of the religious houses, and that adequate relief had been previously furnished by these establishments, it is necessary to say a few words for the removal of an impression which is as near as possible the reverse of the truth. I do not doubt that for many centuries these houses fulfilled honestly the intentions with which they were established ; but, as early as the reign of Richard II, it was found necessary to provide some

other means for the support of the aged and impotent ; the monasteries not only having then begun to neglect their duty, but, by the appropriation of benefices, having actually deprived the parishes of their local and independent means of charity. Licences to beg were at that time granted to deserving persons ; and it is noticeable that this measure was in a few years followed by the petition to Henry IV for the secularization of ecclesiastical property. Thus early in our history had the regular clergy forgotten the nature of their mission, and the object for which the administration of the nation's charities had been committed to them. Thus early, while their houses were the nurseries of dishonest mendicancy, they had surrendered to lay compassion those who ought to have been their especial care. At the opening of the sixteenth century, before the suppression of the monasteries had suggested itself in a practical form, pauperism was a state question of great difficulty, and as such I have to consider it.

For the able-bodied vagrant, it is well known that the old English laws had no mercy. When wages are low, and population has outgrown the work which can be provided for it, idleness may be involuntary and innocent ; at a time when all industrious men could maintain themselves in comfort and prosperity, when ' a fair day's wages for a fair day's work ' was really and truly the law of the land, it was presumed

that if strong capable men preferred to wander about the country, and live upon the labour of others, mendicancy was not the only crime of which they were likely to be guilty ; while idleness itself was justly looked upon as a high offence and misdemeanour. The penalty of God's laws against idleness, as expressed in the system of nature, was starvation ; and it was held intolerable that any man should be allowed to escape a divine judgment by begging under false pretences, and robbing others of their honest earnings.

§ 31. In a country also the boast of which was its open-handed hospitality, it was necessary to take care that hospitality was not brought to discredit by abuse ; and when every door was freely opened to a request for a meal or a night's lodging, there was an imperative duty to keep a strict eye on whatever persons were on the move. We shall therefore be prepared to find 'sturdy and valiant beggars' treated with summary justice as criminals of a high order ; the right of a government so to treat them being proportioned to the facilities with which the honestly disposed can maintain themselves. It might have been expected, also, that when wages were so high, and work so constant, labourers would have been left to themselves to make provision against sickness and old age. To modern ways of thinking on these subjects, there would have seemed no hardship in so leaving them ; and their sufferings, if they had suffered, would

have appeared but as a deserved retribution. This, however, was not the temper of earlier times. Charity has ever been the especial virtue of Catholic States, and the aged and the impotent were always held to be the legitimate objects of it. Men who had worked hard while they were able to work were treated like decayed soldiers, as the discharged pensionaries of society ; they were held entitled to wear out their age (under restrictions) at the expense of others ; and so readily did society acquiesce in this aspect of its obligations, that on the failure of the monasteries to do their duty, it was still sufficient to leave such persons to voluntary liberality, and legislation had to interfere only to direct such liberality into its legitimate channels. In the 23rd of Edw. III, cap. 7, a prohibition was issued against giving alms to 'valiant beggars,' and this proving inadequate, and charity being still given indiscriminately, in the twelfth year of Richard II the system of licences was introduced, and a pair of stocks were erected by order in every town or village, to 'justify' persons begging unpermitted. The monasteries growing more and more careless, the number of paupers continued to multiply, and this method received successive expansions, till at length, when the Reformation was concluded, it terminated, after many changes of form, in the famous Act of Elizabeth. We can thus trace our poor law in the whole course of its growth, and into

two stages through which it passed I must enter with some minuteness. The 12th of the 22nd of Henry VIII, and the 25th of the 27th, are so remarkable in their tone, and so rich in their detail, as to furnish a complete exposition of English thought at that time upon the subject ; while the second of these two Acts, and probably the first also, has a further interest for us, as being the composition of Henry himself, and the most finished which he has left to us.

‘Whereas,’ says the former of these two Acts, ‘in all places throughout this realm of England, vagabonds and beggars have of long time increased, and daily do increase in great and excessive numbers, by the occasion of idleness, mother and root of all vices ; whereby hath insurged and sprung, and daily insurgeth and springeth, continual thefts, murders, and other heinous offences and great enormities, to the high displeasure of God, the inquietation and damage of the king’s people, and to the marvellous disturbance of the common weal of this realm ; and wheras, strait statutes and ordinances have been before this time devised and made, as well by the king our sovereign lord, as also by divers his most noble progenitors, kings of England, for the most necessary and due reformation of the premises ; yet that notwithstanding, the said number of vagabonds and beggars be not seen in any part to be diminished, but rather daily augmented and increased into great routs or

companies, as evidently and manifestly it doth and may appear: Be it therefore enacted by the king, our sovereign lord, and by the Lords Spiritual and Temporal, and the Commons, in this present parliament assembled, that the justices of the peace of all and singular the shires of England within the limits of their commission, and all other justices of the peace, mayors, sheriffs, bailiffs, and other officers of every city, borough, or franchise, shall from time to time, as often as need shall require, make diligent search and inquiry of all aged, poor, and impotent persons, which live, or of necessity be compelled to live by alms of the charity of the people; and such search made, the said officers, every of them within the limits of their authorities, shall have power, at their discretions, to enable to beg within such limits as they shall appoint, such of the said impotent persons as they shall think convenient; and to give in commandment to every such impotent beggar (by them enabled) that none of them shall beg without the limits so appointed to them. And further, they shall deliver to every such person so enabled a letter containing the name of that person, witnessing that he is authorized to beg, and the limits within which he is appointed to beg, the same letter to be sealed with the seal of the hundred, rape, wapentake, city, or borough, and subscribed with the name of one of the said justices or officers aforesaid. And if any such

impotent person do beg in any other place than within such limits, then the justices of the peace, and all other the king's officers and ministers, shall by their discretions punish all such persons by imprisonment in the stocks, by the space of two days and two nights, giving them only bread and water.'

Further, 'If any such impotent person be found begging without a licence, at the discretion of the justices of the peace, he shall be stripped naked from the middle upwards, and whipped within the town in which he be found, or within some other town, as it shall seem good. Or if it be not convenient so to punish him, he shall be set in the stocks by the space of three days and three nights.'

Such were the restrictions under which impotency was allowed support. Though not in itself treated as an offence, and though its right to maintenance by society was not denied, it was not indulged, as we may see, with unnecessary encouragement. The Act then proceeds to deal with the genuine vagrant.

'And be it further enacted, that if any person or persons, being whole and mighty in body and able to labour, be taken in begging in any part of this realm; and if any man or woman, being whole and mighty in body, having no land, nor master, nor using any lawful merchandry, craft, or mystery whereby he might get his living, be vagrant, and can give none account how he doth lawfully get his living, then it

shall be lawful to the constables and all other king's officers, ministers, and subjects of every town, parish, and hamlet, to arrest the said vagabonds and idle persons, and bring them to any justice of the peace of the same shire or liberty, or else to the high constable of the hundred ; and the justice of the peace, high constable, or other officer, shall cause such idle person so to him brought, to be had to the next market town or other place, and there to be tied to the end of a cart, naked, and be beaten with whips throughout the same town till his body be bloody by reason of such whipping ; and after such punishment of whipping had, the person so punished shall be enjoined upon his oath to return forthwith without delay, in the next and straight way, to the place where he was born, or where he last dwelled before the same punishment, by the space of three years ; and then put himself to labour, like as a true man ought to do ; and after that done, every such person so punished and ordered shall have a letter, sealed with the seal of the hundred, rape, or wapentake, witnessing that he hath been punished according to this estatute, and containing the day and place of his punishment, and the place whercunto he is limited to go, and by what time he is limited to come thither : for that within that time, showing the said letter, he may lawfully beg by the way, and otherwise not ; and if he do not accomplish the order to him appointed by the said

letter, then to be oftsoons taken and whipped ; and so often as there be fault found in him, to be whipped till he has his body put to labour for his living, or otherwise truly get his living, so long as he is able to do so.'

§ 32. Then follow the penalties against the justices of the peace, constables, and all officers who neglect to arrest such persons ; and a singularly curious catalogue is added of certain forms of 'sturdy mendicancy,' which, if unspecified, might have been passed over as exempt, but to which Henry had no intention of conceding further licence. It seems as if, in framing the Act, he had Simon Fish's petition before him, and was commencing at last the rough remedy of the cart's-tail, which Fish had dared to recommend for a very obdurate evil. The friars of the mendicant orders were tolerated for a few years longer ; but many other spiritual persons may have suffered seriously under the provisions of the present statute.

' Be it further enacted,' the Act continues, ' that scholars of the Universities of Oxford and Cambridge, that go about begging, not being authorized under the seal of the said universities, by the commissary, chancellor, or vice-chancellor of the same ; and that all and singular shipmen pretending losses of their ships and goods, going about the country begging without sufficient authority, shall be punished and ordered in manner and form as is above rehearsed

of strong beggars ; and that all proctors and pardners, and all other idle persons going about in countries or abiding in any town, city, or borough, some of them using divers subtle, crafty, and unlawfull games and plays, and some of them feigning themselves to have knowledge in physick, physnamye, and palmistry, or other crafty science, whereby they bear the people in hand that they can tell their destinies, dreams, and fortunes, and such other like fantastical imaginations, to the great deceit of the king's subjects, shall, upon examination had before two justices of the peace, if by provable witness they be found guilty of such deceits, be punished by whipping at two days together, after the manner before rehearsed. And if they eftsoons offend in the same or any like offence, to be scourged two days, and the third day to be put upon the pillory, from nine o'clock till eleven the forenoon of the same day, and to have the right ear cut off ; and if they offend the third time, to have like punishment with whipping and the pillory, and to have the other ear cut off.'

It would scarcely have been expected that this Act would have failed for want of severity in its penalties ; yet five years later, for this and for some other reasons, it was thought desirable to expand the provisions of it, enhancing the penalties at the same time to a degree which has given a bloody name in the history of English law to the statutes of Henry VIII. Of this

expanded statute we have positive evidence, as I said, that Henry was himself the author. The merit of it, or the guilt of it—if guilt there be—originated with him alone. The early clauses contain practical amendments of an undoubtedly salutary kind. The Act of 1531 had been defective in that no specified means had been assigned for finding vagrants in labour, which, with men of broken character, was not immediately easy. The smaller monasteries having been suppressed in the interval, and sufficient funds being thus placed at the disposal of the government, public works were set on foot throughout the kingdom, and this difficulty was obviated.

§ 33. Another important alteration was a restriction upon private charity. Private persons were forbidden, under heavy penalties, to give money to beggars, whether deserving or undeserving. The poor of each parish might call at houses within the boundaries for broken meats; but this was the limit of personal almsgiving; and the money which men might be disposed to offer was to be collected by the churchwardens on Sundays and holidays in the churches. The parish priest was to keep an account of receipts and of expenditure, and relief was administered with some approach to modern formalities. A further excellent but severe enactment empowered the parish officers to take up all idle children above the age of five years, 'and appoint them to masters of husbandry

or other craft or labour to be taught ; ' and if any child should refuse the service to which he was appointed, or run away ' without cause reasonable being shown for it,' he might be publicly whipped with rods, at the discretion of the justice of the peace before whom he was brought.

So far, no complaint can be urged against these provisions : they display only that severe but true humanity, which, in offering fair and liberal maintenance for all who will consent to be honest, insists, not unjustly, that its offer shall be accepted, and that the resources of charity shall not be trifled away. On the clause, however, which gave to the Act its especial and distinguishing character, there will be large difference of opinion. The ' sturdy vagabond ' who by the earlier statute was condemned, on his second offence, to lose the whole or a part of his right ear, was condemned by the amended Act, if found a third time offending, with the mark upon him of his mutilation, ' to suffer pains and execution of death, as a felon and as an enemy of the commonwealth.' So the letter stands. For an able-bodied man to be caught a third time begging was held a crime deserving death, and the sentence was intended, on fit occasions, to be executed. The poor man's advantages, which I have estimated at so high a rate, were not purchased without drawbacks. He might not change his master at his will, or wander from place to place. He might

not keep his children at his home unless he could answer for their time. If out of employment, preferring to be idle, he might be demanded for work by any master of the 'craft' to which he belonged, and compelled to work whether he would or not. If caught begging once, being neither aged nor infirm, he was whipped at the cart's tail. If caught a second time, his ear was slit, or bored through with a hot iron. If caught a third time, being thereby proved to be of no use upon this earth, but to live upon it only to his own hurt and to that of others, he suffered death as a felon. So the law of England remained for sixty years. First drawn by Henry, it continued unrepealed through the reigns of Edward and of Mary, subsisting, therefore, with the deliberate approval of both the great parties between whom the country was divided. Reconsidered under Elizabeth, the same law was again formally passed ; and it was, therefore, the expressed conviction of the English nation, that it was better for a man not to live at all than to live a profitless and worthless life. The vagabond was a sore spot upon the commonwealth, to be healed by wholesome discipline if the gangrene was not incurable ; to be cut away with the knife if the milder treatment of the cartwhip failed to be of profit.

A measure so extreme in its severity was partly dictated by policy. The state of the country was critical ; and the danger from questionable persons

traversing it unexamined and uncontrolled was greater than at ordinary times. But in point of justice as well as of prudence, it harmonized with the iron temper of the age, and it answered well for the government of a fierce and powerful people, in whose hearts lay an intense hatred of rascality, and among whom no one need have lapsed into evil courses except by deliberate preference for them. The moral substance of the English must have been strong indeed when it admitted of such stringent treatment ; but, on the whole, they were ruled as they preferred to be ruled ; and if wisdom may be tested by success, the manner in which they passed the great crisis of the Reformation is the best justification of their princes. The era was great throughout Europe. The Italians of the age of Michael Angelo ; the Spaniards who were the contemporaries of Cortez ; the Germans who shook off the pope at the call of Luther ; and the splendid chivalry of Francis I of France, were no common men. But they were all brought face to face with the same trials, and none met them as the English met them. The English alone never lost their self-possession ; and if they owed something to fortune in their escape from anarchy, they owed more to the strong hand and steady purpose of their rulers.

§ 34. To conclude this chapter then.

In the brief review of the system under which England was governed, we have seen a state of things

in which the principles of political economy were, consciously or unconsciously, contradicted ; where an attempt, more or less successful, was made to bring the production and distribution of wealth under the moral rule of right and wrong ; and where those laws of supply and demand, which we are now taught to regard as immutable ordinances of nature, were absorbed or superseded by a higher code. It is necessary for me to repeat that I am not holding up the sixteenth century as a model which the nineteenth might safely follow. The population has become too large, and employment too complicated and fluctuating, to admit of such control ; while, in default of control, the relapse upon self-interest as the one motive principle is certain to ensue, and when it ensues is absolute in its operations. But as, even with us, these so-called ordinances of nature in time of war consent to be suspended, and duty to his country becomes with every good citizen a higher motive of action than the advantages which he may gain in an enemy's market ; so it is not uncheering to look back upon a time when the nation was in a normal condition of militancy against social injustice ; when the government was enabled by happy circumstances to pursue into detail a single and serious aim at the well-being—well-being in its widest sense—of all members of the commonwealth. There were difficulties and drawbacks at that time as well as this.

Of liberty, in the modern sense of the word, of the supposed right of every man 'to do what he will with his own' or with himself, there was no idea. To the question, if ever it was asked, May I not do what I will with my own ? there was the brief answer, No man may do what is wrong, either with that which is his own or with that which is another's. Workmen were not allowed to take advantage of the scantiness of the labour market to exact extravagant wages. Capitalists were not allowed to drive the labourers from their holdings, and destroy their healthy independence. The antagonism of interests was absorbed into a relation of which equity was something more than the theoretic principle, and employers and employed were alike amenable to a law which both were compelled to obey. The working man of modern times has bought the extension of his liberty at the price of his material comfort. The higher classes have gained in luxury what they have lost in power. It is not for the historian to balance advantages. His duty is with the facts.

NOTES

§ 1. The European world grew upon a single type : the medieval world was trained and nourished within the framework of the 'Catholic' Church. Thought might nominally be free, but only within the strict ambit of ecclesiastical tradition. The civilization of medieval Europe was based upon a unity of culture, says Mr. Maycock in his valuable work on *The Inquisition* (1926) : unity is the key-note of the European story during the Middle Ages. And it was the Church which filled men with this sense of unity and bound them together by a common purpose. "The Church was the dominating factor in the minds of all; her influence was unquestioned: she was part of the atmosphere which everybody breathed. The tendency and thought of the age was centripetal." Finally unity became identified with an almost static uniformity, for the Church had become the corporate conscience of Europe. The significance of this must be grasped, or the Middle Ages will always remain an enigma. The reader may do wisely to consult Acton's *History of Freedom*, Lecky's *History of Rationalism*, and Taylor's *The Medieval Mind*, for further information.

before the Persian War, in the early part of the fifth century B.C.

Charles of Burgundy, Charles the Bold (1433-1477). He invaded Switzerland the year before his death, and sustained a severe defeat at Morat. He perished in battle before Nancy in the next year. With his death was ended the long resistance of the great French vassals to the central power of the monarchy.

stories of King Arthur's knights, as retold in Malory's *Morte d'Arthur*.

last orders of Gothic architecture, in England called Perpendicular. Of this style the finest examples are King's College Chapel, Cambridge, and Henry VII's Chapel at Westminster.

§ 2. The extent of the population : estimates vary between 2½ and 5 millions.* There is little doubt that, before the Black Death, the population was as much as 4 millions; then there was (naturally) a heavy fall, and the question whether we were

* Dr. Creighton, who bases his figures on the poll-tax returns, estimates that there were just over 2½ millions of people in England—exclusive of Cheshire and Durham—in the last quarter of the fifteenth century.

as many as 5 millions by—say—1500 or 1555 depends on the views taken of the condition of England in the fifteenth century. Perhaps five is not too much for the end of Elizabeth's reign; it would not be unreasonable to allow for an increase of at least one million during the period 1450-1600, which was a comparatively prosperous time.

Simon Fish (died 1531): having incurred the displeasure of Wolsey, he fled to Holland and there wrote his popular pamphlet against the clergy.

early marriages discouraged: apparently children were considered capable of *consent* as early as the age of seven, but the marriage was voidable till much later. The evil of child-marriage was more common in high than in low life: cf. Abram, *English Life and Manners in the later Middle Ages*, pp. 114, 115, 309.

§ 4. The English supplied *wool* for the Flemish manufacturers long before they became the rivals of the Flemings in woollen goods. The original home of the woollen trade seems to have been Norfolk, but, for climatic reasons, there was a migration south and west.

§ 6. **All land held upon a military principle.** By this time the Feudal system of land-tenures was beginning to weaken, and money becoming a growing factor in country life. 'Feudalism was no longer in harmony with the ideas of the age; it crumbled into decay; and modern society gradually arose on its ruins' (Abram, *loc. cit.* chap. i.): cf. Seebohm, *The Village Community*. Such was the result of the silent working of economic factors: see Ramsay Muir, *A Short History of the British Commonwealth*, vol. i. chap. 6.

§ 7. **Parliament of Edward III**: we learn from the Household Ordinances of this king that 13/4 per day was allowed for the 'dietet' of a Duke, and only half that sum for that of an Earl.

sumptuary laws . . . fallacies: these abound in ancient times—Solon's code, *Lex Fannia*, and so on. These laws were greatly in evidence from the days of Edward II till the Reformation. Most of the English sumptuary laws were repealed by James I.

§ 9. **great shins of beef**: 'The Spanish nobles who came into England with Phillip were astonished at the diet which they found among the poor' (J. A. F.).

Benvenuto Cellini, a famous Italian artist (goldsmith, sculptor, and engraver); born in Florence 1500, died there in 1571. His autobiography, translated by J. A. Symonds, is of unique interest. Cf. Symonds, *Renaissance in Italy*.

§ 10. **Stowe**, in his *Chronicles*. This industrious antiquary is chiefly known for his *Survey of London* (published in 1598).

§ 10. **Latimer** : this passage is taken from his *Sermons*. Hugh Latimer, sometime Bishop of Worcester, one of the most distinguished of the Reformers, and a vigorous preacher, was burnt at the stake at Oxford in 1555, in the sixty-fifth year of his age. His noble dying words to his brother-martyr, Ridley, 'Be of good comfort and play the man, for we shall this day light such a candle, by God's grace, in England, as I trust shall never be put out,' have been burnt, indeed, into the memory of his countrymen. 'O high example, constancy divine !'

§ 11. **The common labourers** : 'the wages were fixed at a maximum, showing that labour was scarce, and that its natural tendency was towards a higher rate of remuneration' (J. A. F.).

§ 12. **early in the reign of Henry VIII** : later on these provisions were extended to the rest of England. This restrictive ordinance was part of the usual Tudor policy ; not unnaturally, it failed.

§ 13. **lords of the fees**, *i.e.* the fiefs or feudal benefices.

§ 14. **benevolence**, a forced gift from a subject. It was Edward IV, who seldom summoned Parliament, that first began to rely less on taxes voted by the Commons, and more on these 'benevolences' ; and this system was subsequently extended, but it was not resorted to after 1614.

under the Somerset protectorate, 'when the enclosing system was carried on with the greatest activity and provoked insurrection' (J. A. F.).

§ 15. **Buckingham**, a descendant of Edward III's youngest son, stood first in blood as in power among the English nobles. Executed as a 'traitor' in 1521.

Duke of Norfolk (=Earl of Surrey), distinguished himself by his decisive victory over the Scots at Flodden in 1513 ; ten years later he completely checked the Scotch invasion under Albany.

§ 16. **Justice Shallow** : see Shakespeare, 2 *Henry IV*, and *The Merry Wives (passim)*.

wages of a parish priest : see Bennett, *The Pastors and their England*, pp. 218 *sq.* The yearly value, for example, of the Rectory of Bletchingley (Surrey) was ascertained to be just about £20 ; but this was probably a valuable living, and the income included the rectorial tithes.

§ 17. **without stint or reserve** : Stowe (*Survey of London*) testifies that 200 poor people were fed daily at the house of Thomas Cromwell.

Camden (1551-1623), one of the most celebrated of English antiquaries. Best known by his *Britannia*, translated into the vernacular by Philemon Holland : see Chambers' *Cyclopaedia of English Literature*, vol. i. p. 268.

§ 18. **Henry VIII.** . . . well read in theology : his book against Luther earned for him the title of 'Defender of the Faith'—a title still borne by our kings, as the coinage shows.

More : Sir Thomas More, author of *Utopia*, a remarkable political romance ; **Elliott** (= Elyot), author of *The Boke of the Goverour*, a treatise on education ; **Wyatt**, scholar, diplomatist, and—above all—poet.

ventri luxui pecuniaeque = to gluttony, luxury, avarice. Erasmus' low opinion of the professed 'religionists' of his time is well known. Read Froude's *Life and Letters of Erasmus*. Erasmus was, 'par excellence,' the Humanist of the Reformation period. His *Colloquies* are mentioned a little further on. They are pictures of men and things as he saw them; witty and delightful and written in admirable Latin.

Fabyan's Chronicle : see *Cambridge History of English Literature*, vol. ii. It is a dull performance, but useful.

§ 19. Most of the great city companies came to hold royal charters before the close of the fourteenth century ; these charters conferred upon them powers to regulate their several trades, not only in London but (in some cases) throughout England : see Unwin, *Guilds and Companies of London* (1908), who points out (p. 80) that, owing to their connexion with the coinage and foreign exchanges, the Goldsmiths stood somewhat apart from other crafts. It was in the fifteenth century that the river became the scene of some of the most impressive pageants.

served his apprenticeship : the system of apprenticeship existed in England from about the twelfth century, but it was not till 1563 that the Statute of Apprentices was passed. Consult Cunningham, *Growth of English Industry and Commerce* ; Brintano, *History and Development of Gilds* ; and Prof. W. J. Ashley's *Introduction to English Economic History*.

§ 21. **five pounds per tonne** : viz. in old wine measure 252 gallons.

§ 22. **quisque in sua arte** = each man in his own trade.

Quis custodiet : from Juvenal. 'Who shall guard the guardians ?'

truck system : that is, payment to workmen in commodities instead of money. Now illegal. The word 'truck' is derived from the French word *troquer* (= barter).

§ 23. This beautiful passage—one of the most beautiful in modern prose—deserves the attention of every student. Mark the exquisite rhythm of the final lines.

§ 24. **the great statute of Winchester** : this, the most important of Edward I's measures for the enforcement of public order and security, was enacted in 1285. Cf. Stubbs, *Constitutional History*, vol. ii.

§ 25. **kails**, *i.e.* skittles. Archery fell into disfavour as early as the latter part of the fourteenth century ; and a law was passed in Richard II's reign ordering the common people to have bows and arrows and use them on Sundays. **Claish** was a game similar to kails.

§ 26. **Adam Bell**, **Clym of the Clough**, and **William of Cloudislee**, a long outlaw ballad ; printed by W. C. Hazlitt in vol. ii. of his *Remains of the Early Popular Poetry of England*. The **Mystery and Miracle Plays**—mentioned a little further on—were rude dramas founded on the historical parts of the O.T. and the Lives of the Saints ; out of these developed another class of play called 'Morallities' ; they were the precursors of the modern drama. Of the early **Morallities** the best-known is *Everyman*. See Boas, *Shakespeare and his Predecessors* ; J. A. Symonds, *Shakespeare's Predecessors*, chaps. iii, iv.

Phidias, one of the greatest of Greek sculptors (fifth century B.C.). His statue of Pallas Athena, in the Parthenon, was one of the glories of ancient Athens.

Raphael (1483-1520) : his greatest picture is the Sistine Madonna (now at Dresden).

Copernicus (1473-1543), the founder of modern astronomy.

§ 27. **Bottom**, in *A Midsummer-Night's Dream* ; **Alisander**, in *Love's Labour Lost* ; **Snug**, etc., in *A Midsummer Night's Dream*. For **Polonius**, see *Hamlet*.

the Lucy's Hall : Shakespeare was prosecuted for poaching there (see Sidney Lee, *A Life of Shakespeare*, chap. iii.). The tradition is that Sir Thomas Lucy was subsequently caricatured by the poet in Mr. Justice Shallow, but the whole legend is severely handled in *A Chapter in the Early Life of Shakespeare*, by Arthur Gray (Cambridge, 1926).

St. Paul's School, founded by Dean Colet, who was one of the most striking figures of the early sixteenth century, and one of the most strenuous of the teachers of the New Learning.—See Prof. Foster Watson, *The English Grammar Schools to 1600*, and G. M. Trevelyan, *A History of England*, pp. 290, 291.

Duke of Bourbon's capture of Rome, in 1527. Creighton, *History of the Papacy*, vol. vi. pp. 336 *sqq.* The sack of the Eternal City continued for eight days. Murder, pillage, sacrilege held high revel ; and infinite damage was done to works of art. Nine months passed before the lawless soldiery quitted their prey : see Dr. W. Barry, *The Papacy and Modern Times*, chaps. ii. and iii.

Charles V, Emperor of Germany ; the greatest European monarch of the sixteenth century. **Francois I** was King of France.

§ 28. **order of St. Michael** : one of the great orders of knighthood ; it was founded by Louis XI in 1469. This (French) order is not to be confused with the English Order of St. Michael and St. George, founded in 1818. See the article 'Knighthood' in vol. xv. of the *Encyclopaedia Britannica*.

§ 28. so far Hall: the first known edition of his *Chronicle* was published in 1548. For an account of him and his work, see *Cambridge History of English Literature*, vol. iii, p. 315 *sqq.* and p. 529. Roger Ascham refers to this famous collection in *The Schoolmaster*: 'Halles Chronicle, where moch good matter is quite marde with indenture Englishe, and strange inkhorn termes' (hardly a fair description).

§ 29. cypress, a sort of crépe; taffety and sarsnet are fine silk tissues. Cf. Ben Jonson, *Alchemist*, ii. 1, 192: 'My shirts | I'll have of taffeta-sarsnet, soft and light | As cobwebs.'

§ 30. Wolsey . . . a disgraced man: the student should read the chapter on Henry VIII and Wolsey in Lord Acton's *Historical Essays and Studies*.

plain Bishop of Rome: one is minded of the (now-suppressed) suffrage in the Litany: 'From the Bishop of Rome and all his detestable enormities, good Lord, deliver us.'

licences to beg: we find in the early chancery proceedings allusions to letters patent entitling old soldiers to collect alms: cf. Abram, *English Life and Manners in the Middle Ages*, p. 97.

the regular clergy had forgotten the nature of their mission: certainly read Froude's essay, *The Dissolution of the Monasteries* (in vol. i. of his *Short Studies*), and Bennett, *The Pastons and their England*, chaps. xv, xvi. As the wealth of the monasteries increased, their early enthusiasms began to grow faint. When the monastic system fell, it was unpitied by the people: it had outlived its usefulness. See Spence, *History of the Church of England*, vol. ii. chap. 37; Stubbs, *Mediaeval and Modern History*, chap. xi. The young student is reminded that *regulars* are those bound by a 'regula' or rule, *viz.*, the monks as opposed to the *secular* clergy (i.e. parish priests).

§§ 31, 32. For Henry VIII's legislation, see Stubbs, *op. cit.* chap. xii.

§ 33. failed to be of profit: 'it is to be remembered that the criminal law was checked on one side by the sanctuary system, on the other by the practice of benefit of clergy. Habit was too strong for legislation, and these privileges continued to protect criminals long after they were abolished by statute' (J. A. F.). 'Benefit of Clergy' was not finally abolished till the reign of George IV; but the right of sanctuary was done away with as early as the reign of James I. As regards, however, the execution of civil processes, this right held on for another century.

Michael Angelo (1475-1564), the most brilliant representative of the Italian Renaissance. Biography by J. A. Symonds.

Cortez (1485-1547) conqueror of Mexico: see MacNutt's monograph in the 'Heroes of the Nations' series (1909).

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BOOKS RECOMMENDED FOR FURTHER STUDY

I. ENGLAND UNDER THE TUDORS.

G. M. TREVELYAN, *History of England* : Book III. [on the whole, the best all-round sketch for a beginner]. Published 1926.

H. A. L. FISHER, *Political History of England*, 1485-1547.

INNES, *England under the Tudors*.

PROF. POLLARD, *Tudor Studies* [by twelve colleagues of the Professor] ; and his monograph on Henry VIII.

TANNER, *Tudor Constitutional Documents*.

BISHOP STUBBS, *Lectures on Mediaeval and Modern History* ; chaps. xi, xii.

DR. J. S. BREWER, *History of the Reign of Henry VIII* (to the death of Wolsey).

TRAILL'S *Social England* [very useful].

J. DOVER WILSON, *Life in Shakespeare's England* [illustrative prose extracts from Elizabethan authors, grouped under headings like 'Education,' 'Sport,' 'London,' etc.].

FROUDE'S *Life and Letters of Erasmus*.

CAMBRIDGE MODERN HISTORY (*passim*).

For the literary history of the early Tudor period, see *Cambridge History of English Literature*, vol. iii. chaps. ii, v, viii, and Chambers' *Cyclopaedia of English Literature*, vol. i. The religious movements of the time may be conveniently studied in Seebohm, *The Oxford Reformers*, Lindsay's *History of the Reformation*, and Wakeman, *History of the Church of England*.

II. THE AUTHOR.

HERBERT PAUL, *Life of Froude*. 1905.

O. ELTON, *Survey of English Literature from 1830 to 1880*, vol. i. pp. 133-144. [Contains a very able criticism of Froude as an historian.]

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